



CALLOWAY COUNTY ADMINISTRATIVE CODE

**Adopted by:
Calloway County
Fiscal Court**

Revised & Reviewed June 28, 2024

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INTRODUCTION PURPOSE AND AUTHORITY

The General Assembly of the Commonwealth of Kentucky enacted KRS 68.005 in 1978 to promote efficient administration of County Government. KRS 68.005 requires the Fiscal Court to adopt a County Administrative Code which includes, but is not limited to, procedures and designation of responsibility for the following:

General administration of the office of County Judge-Executive (hereinafter 'County Judge'), County administrative agencies and public authorities;

Administration of County fiscal affairs, including budget formulation; receipt and disbursement of County funds, preparation of records required for the County audit, and for filing of claims against the County;

Personnel administration, including description and classification of non-elected positions, selection, assignment, supervision and discipline of employees, employee complaints and the County Affirmative Action Plan;

County purchasing and award of contracts; and

Delivery of County services.

The County Judge, as the Chief Executive Officer of the County, is responsible for the organization and management of the administrative functions of County Government. The Fiscal Court sets the County's policies and priorities. The County Judge must execute these policies and priorities. The statute provides only general guidance as to the form and substance of a County's internal administrative organization. For this reason, the Fiscal Court of Calloway County enacts the following County Administrative Code.

Calloway County Administrative Code

Calloway County Fiscal Court does hereby establish a County Administrative Code, dividing the administrative service of Calloway County into departments under the County Judge, prescribing administrative policy and procedure, prescribing the function and duties of administrative units and officials of the government, prescribing the administration of fiscal affairs and procurement procedures, and prescribing for the delivery of County services.

BE IT ADOPTED BY THE FISCAL COURT OF CALLOWAY COUNTY June 28, 2024

CHAPTER 1 GENERAL TERMS & DEFINITIONS

SECTION 1.1 GENERAL TERMS & DEFINITIONS

- A. **SHORT TITLE:** This document shall be known and may be cited as the “Calloway County Administrative Code.”
- B. **DEFINITIONS:** Terms used in this Code unless the context otherwise requires altering.
1. **Administrative Code:** The Administrative Code may also be referred to as the Admin Code, Personnel Handbook, Handbook, or Policies and Procedure Manual. It outlines the overarching policies for employees to follow.
 2. **County:** Calloway County, Kentucky, a governmental entity.
 3. **Department Head/Department Supervisor:** The head of one of the departments of County Government as established by the Administrative Code or the Judge Executive. The department head may have an authorized supervisor to serve as their proxy in certain situations. Elected officials may be both a Department Head and the Executive Authority.
 4. **Employee:** Employee references individuals employed by a department where the administrative authority is that of the Fiscal Court.
 5. **Emergency Services Personnel:** Personnel responsible for mitigation activities in a medical emergency, fire emergency, hazardous material emergency, natural disaster and/or during civil discourse.
 6. **Essential Personnel:** A designated employee required to work during a business closure issued by declaration to meet operational requirements.
 7. **Executive Authority:** Executive Authority is defined as the County Judge/Executive, County Attorney, County Clerk, Jailer, and Sheriff. The elected official responsible.
 8. **Extended Family:** Extended family is defined as an employee’s aunt, uncle, first cousin, niece, or nephew.
 9. **Fiscal Court or Court:** The Calloway County Fiscal Court, which is the duly constituted, controlling body that governs the affairs of Calloway County, Kentucky.
 10. **Immediate Family:** Immediate family is defined as spouse, child, stepchild, parent, stepparent, grandparents, grandchildren, sibling, current in-law of the same relation, or any relative domiciled in the employee's household.
 11. **Judge Executive or Judge:** The duly elected constitutional officer who carries out the executive and administrative functions of Calloway County Government or their proxy.
 12. **Safety Sensitive:** Safety sensitive position is a job or position where the employee holding this position is responsible for his/her own or other people's safety.

CHAPTER 2 GENERAL ADMINISTRATION

SECTION 2.1 AUTHORITY

- A. JUDGE EXECUTIVE:** The Calloway County Judge shall be the Chief Executive and Administrative Officer of the County and shall have all the powers and perform all the duties of an executive and administrative nature consistent with the Kentucky Constitution, Kentucky Revised Statutes, and the Fiscal Court (as amended from time to time).
1. KRS 67.710 Responsibilities:
 - a. Provide for the execution of all ordinances and resolutions of the Fiscal Court, execute all contracts entered into by the Fiscal Court, and provide for the execution of all laws by the State subject to enforcement by him/her or by officers who are under his direction and supervision;
 - b. Prepare and submit to the Fiscal Court for approval an administrative code incorporating the details of administrative procedures for the operation of the County and review such code and suggest revisions periodically or at the request of the Fiscal Court;
 - c. Furnish the Fiscal Court with information concerning the operations of the County departments, boards, or commissions, necessary for the Fiscal Court to exercise its powers or as requested by the Fiscal Court;
 - d. Require all officials, elected, or appointed, whose offices utilize County funds, and all boards, special districts, and commissions exclusive of city governments and their agencies located within the County to make a detailed annual financial report to the Fiscal Court concerning the business and condition of their office, department, board, commission, or special districts;
 - e. Consistent with procedures set forth in KRS Chapter 68, prepare and submit to the Fiscal Court an annual budget and administer the provisions of the budget when adopted by the Fiscal Court;
 - f. Keep the Fiscal Court fully advised as to the financial condition and needs of the County and make such other reports from time to time as required by the Fiscal Court or as he deems necessary;
 - g. When required, exercise with approval of the Fiscal Court the authority to appoint, supervise, suspend, and remove County personnel (unless otherwise provided by state law); and
 - h. When required, with the approval of the Fiscal Court, make appointments to or remove members from such boards, commissions, and designated administrative positions as the Fiscal Court, charter, law, or ordinance may create. The requirement of Fiscal Court approval must be designated as such in the County administrative code or the County charter.
 2. Personnel Administrator: The County Judge Executive is hereby designated as the Personnel Administrator for those employees employed directly for the Fiscal Court. The Human Resources Department shall administer all personnel related matters, consulting with the Judge Executive, as necessary.
- B. AMENDMENTS:** The Fiscal Court shall review the Calloway County Administrative Code annually during the month of June and may by two-thirds (2/3) majority of the entire Fiscal Court amend the Calloway County Administrative Code at that time, according to KRS

68.005. The County Judge may at other times prepare and submit amendments to the Calloway County Administrative Code for approval by the majority of the Fiscal Court.

1. Previous Amendments: The Calloway County Administrative Code is effective June 28, 2024. Any previous ordinances and amendments shall have no further applicability after the date of this ordinance's enactment.

C. COUNTY OFFICES: County offices, under the budgetary authority of the Calloway County Fiscal Court and led by constitutional officers that maintain County insurance benefits for their employees, may adopt this Administrative Code or draft their own Administrative Code. If the county office chooses to use a separate administrative code, the personnel policies offered must be equal benefits to those provided by the Fiscal Court for their employees. The county office shall provide a written copy to the Fiscal Court for adoption. The Administrative Code must be adopted prior to January 1st each year. Employees in these offices do not report to the Judge Executive, but rather to the elected official or governing board of their office.

D. DEPARTMENT OPERATION MANUALS: All department heads and Human Resource shall develop and maintain department operation manuals to cover daily operations for their employees. All manuals and addendums shall be submitted to the Fiscal Court for approval. Once approved by the Fiscal Court, it shall be provided to the Human Resources Department and enacted throughout the department. Employees must be briefed, provided a copy (electronic or printed), and have an acknowledgement form signed within 30 days of enactment. Department operation manuals shall be updated annually by the month of December.

SECTION 2.2 ORGANIZATION OF COUNTY OFFICE OR AGENCY

A. SUMMARY: The County Judge may create, abolish, or combine any county department or agency or transfer a function from one department or agency to another, provided that the County Judge submits a written plan for the reorganization to the Fiscal Court.

1. The reorganization plan shall state the need, how the reorganization will meet the need, the services, and functions to be expanded, abolished, or reduced because of the plan, the long- and short-term costs, and the plan's impact on existing and/or proposed personnel and services.
2. The plan shall be submitted to the Fiscal Court for approval at a meeting of the Fiscal Court. If not disapproved within sixty (60) days, the plan shall become effective. The plan shall be subject to public inspection at least 60 days prior to its effective date.
3. The County Judge or the Fiscal Court may cause the records and accounts of any administrative agency to be examined at any time.

B. SPECIAL DISTRICTS: The County Judge may, with approval of the Fiscal Court, create any special district; or abolish or combine any special districts, provided such district was created solely by the County.

- C. COUNTY REPRESENTATION ON BOARDS AND COMMISSIONS:** The County Judge shall ensure the representation of the County on all boards, commissions, special districts, and joint City-County programs in which County participation is required.
1. Every independent board, commission, agency, or special district which requires participation by County Government shall submit a copy of its by-laws and a list of its governing body members to the County Judge and the Fiscal Court within thirty (30) days of the start of the County term of office.
 2. The independent board, commission, agency, or special district shall submit a revised copy of its by-laws within 30 days of their approval when amended.
 3. When a vacancy exists, the list of governing body members should be submitted to the County Judge no later than thirty (30) days before the County Judge nominates a candidate for the vacancy.

SECTION 2.3 APPOINTED POSITIONS

- A. APPOINTING AUTHORITY:** Under KRS 67.710, the County Judge Executive may appoint, supervise, suspend, and remove county personnel, with fiscal court approval, unless state law provides otherwise. KRS 67.711 authorizes the county judge/executive to appoint a deputy county judge/executive and a reasonable number of other clerical workers and assistants. The fiscal court may limit the number of such personnel and provide for a reasonable salary (KRS 67.711).
1. Tie Vote: If there is a tie vote in the Fiscal Court in the selection of any officer or employee to be selected by the Fiscal Court, and a deadlock continues for fifteen (15) days, the Executive Authority shall have the facts of the matter entered upon the minutes of the Fiscal Court, and the Fiscal Court shall be given a final opportunity to select the officer or employee just prior to appointment by the Executive Authority.
- B. APPOINTMENT PROCEDURES:** The following steps will be taken for the appointment or removal of administrative positions or board positions.
1. The County Judge shall inform the Fiscal Court of any open position on County Boards or Commissions, or in designated administrative positions.
 2. The County Judge shall appoint qualified individuals to administrative positions and to boards and commissions in writing, with the writing submitted to Fiscal Court at regular scheduled meetings.
 3. If the Fiscal Court rejects the nomination, the County Judge shall submit an additional nomination(s) for each position.
 4. The appointment shall be filed and entered into the order book which shall be maintained in the Office of the County Clerk.
 5. No person shall be selected as a member of a board or commission or for an administrative position if the person holds or is employed in an incompatible position.

- C. TREASURER:** Notwithstanding the provisions of KRS 67.710, or any other statute:
1. The fiscal court of each county, by June 30 every four (4) years, beginning with June 1999, shall appoint a county treasurer for a term of four (4) years. (b) In 1998, the fiscal court of each county, by June 30, shall appoint a county treasurer for a term of one (1) year. In 1999 and every four (4) years thereafter, the fiscal court of each county shall appoint a county treasurer for a term of four (4) years pursuant to paragraph (a) of this subsection. (c)
 2. If for any reason the county treasurer is not appointed at the regular June meeting, the county judge/executive shall call the fiscal court to meet on a day fixed by order entered on the order book of the court, and the meeting shall be held before the end of June.
 3. The county treasurer shall take office on July 1st immediately following appointment.
- D. ROAD ENGINEER OR ROAD SUPERVISOR:** In accordance with KRS 179.020, the County Judge/executive of each county, with the consent of the fiscal court, may employ a county road engineer. Any person so employed shall be either a civil or highway engineer licensed in accordance with KRS Chapter 322, or a person who successfully passed an examination for county road engineer under this section prior to March 24, 1950, and who qualified and served as such.
1. If the fiscal court does not provide for a county road engineer, the duties of the county road engineer, except insofar as they may be in conflict with the provisions of KRS Chapter 322, shall be performed by a county road supervisor, who shall be employed by the county judge/executive with the consent of the fiscal court, and who may be removed in the same manner provided for county road engineers. No person shall be employed as county road supervisor unless he meets the following requirements:
 - a. He/She has at least three (3) years' practical road building experience of a nature satisfactory to examining authorities selected by the Department of Highways for the Commonwealth of Kentucky; and
 - b. He/She has passed an examination, either oral or written, or both, given by the examining authorities, and has received a certificate of qualification from the authorities.
 2. The period of employment for any county road engineer or county road supervisor shall be two (2) or four (4) years, at the discretion of the fiscal court, beginning with the second Tuesday in January of an odd-numbered year. Other employment terms, and the salaries of all persons employed under this section, shall be fixed by the fiscal court.

SECTION 2.4 PROCEDURES FOR ADMINISTRATIVE AGENCIES

- A. RECORDS:** Each Calloway County Agency shall maintain the following records:
1. A financial record of the agency's activities.

2. Within thirty (30) days after the close of each fiscal year, each administrative agency shall make a full report to the County Judge and to the Fiscal Court. The report shall include a financial statement and the general scope of the operation of the agency during the preceding year.
3. Each administrative agency requesting Calloway County budget funds shall submit a detailed annual budget request to the County Judge by April 1st of each year.
4. Each administrative agency of Calloway County shall keep the minutes of its meetings to reflect on record its official actions.

CHAPTER 3 OPERATION OF FISCAL COURT

SECTION 3.1 DEFINITIONS AND PROCEDURES

- A. FISCAL COURT:** The Calloway County Fiscal Court is the chief governing body of Calloway County Government and shall exercise all powers of government delegated to it by the Commonwealth of Kentucky. The Fiscal Court consists of elected Magistrates and the Judge Executive. All members of the Court are equal and may speak, vote, make motions, second motions, and otherwise exert the powers granted to a member of the Court by the Commonwealth of Kentucky.
- B. PROCEDURES:** The following procedures will be followed for the smooth and efficient implementation of the Fiscal Court.
1. The County Judge shall annually set the dates and times for all regular Fiscal Court meetings.
 2. All meetings of members of the Fiscal Court at which any public business is discussed or any action taken shall be open to the public in accordance with the Kentucky Open Meetings Act (KRS Chapter 61).
 3. The County Judge may call a special meeting of the Fiscal Court for the purpose of transacting any business over which the Fiscal Court has jurisdiction.
 4. Whenever the County Judge is unable, or refuses to call a special meeting, a majority of the Fiscal Court may call a special meeting.
 5. The County Judge must refuse a request to call a special meeting, with the request made by a Fiscal Court member, prior to the majority of the Fiscal Court being able to call a Special Meeting.
 6. Special meetings shall be called and conducted in accordance with the Kentucky Open Meetings Act (KRS Chapter 61).
- C. PRESIDING OFFICER:** The County Judge shall be the presiding officer of the Fiscal Court at all regular and special meetings.
1. The longest serving Magistrate shall preside over Fiscal Court in absence of the County Judge/Executive.
- D. QUORUM:** Not less than a majority of the members of the Fiscal Court shall constitute a quorum for the transaction of business.
- E. DISTURBING MEETINGS:** It shall be unlawful to disturb any meeting of the Fiscal Court or to behave in a disorderly manner at any such meeting.
1. Any person violating any provision of this section may be prosecuted under the appropriate provisions of the Kentucky Penal Code.

- F. ORDER OF BUSINESS:** The County Judge shall prepare an agenda for each regular and special called meeting of the Fiscal Court and present prior to the meeting. This agenda shall be followed unless dispensed with by a majority vote of the members presented.
1. Agenda: The agenda shall be distributed to members of the Fiscal Court and media within one (1) to three (3) days prior to a scheduled Fiscal Court meeting.
 - a. At a regular meeting, the agenda does not restrict the content of what can be discussed as long as the matter is discussed in the appropriate portion of the agenda (i.e., New Business, Old Business).
 2. Robert's Rules of Order: Except when in conflict with the foregoing provisions, Robert's Rules of Order shall govern the deliberations of the Fiscal Court.
 - a. The rules of order, other than those prescribed by statute, may be suspended at any time by consent of a majority of the members present at the meeting.
- G. PUBLIC ADDRESS:** Any persons or groups wishing to address Fiscal Court must give written notice (including name, address, phone, and subject to present) to the County Judge by close of business one week prior to the meeting at which they wish to speak.
1. Speeches on behalf of individuals are limited to three (3) minutes per speaker.
 2. Speeches on behalf of special interest groups shall be brought before the court by one spokesperson and shall be limited to five (5) minutes per group.
 3. Speakers are not permitted to poll magistrates individually to ask how they will vote on any matter.
 4. The County Judge or any two magistrates in agreement may allow additional time for any speaker, but such speaker's total time shall not be increased beyond ten (10) minutes without approval by a majority of the court members.
 5. When conducting public hearings or listening to public comment on any issue, the topic will be limited to up to three individuals or groups speaking in favor of the matter, and up to three individuals or groups speaking in opposition to the matter, as determined by the County Judge.
 6. In order to promote fair discourse on an issue and to allow the court to operate efficiently for the public benefit, individuals or groups who have spoken regarding a topic shall not be permitted to address the same topic again during a twenty-four (24) month period, without the express consent of the County Judge or at least two magistrates.
- H. SPECIAL/EMERGENCY MEETING:** At each special or emergency meeting of the Fiscal Court, the agenda shall be followed with no other topics presented or discussed during the special or emergency meeting.
- I. BILL APPROVAL:** The County Treasurer shall prepare an itemized list of all valid bills requiring Fiscal Court approval.

1. No bill shall be approved for payment unless contained in the itemized list for the meeting.
 - a. A majority of the Fiscal Court members may vote to forgo and approve payment of bills not included on the itemized list as long as the bill is presented to Fiscal Court.
 - b. The Fiscal Court may approve payment of the list of valid bills as a whole unless there is an objection voiced to any specific item.

J. FISCAL COURT MINUTES: The County Clerk of the Fiscal Court shall attend all meetings of the Fiscal Court and keep a full and complete record of its proceedings.

1. The County Clerk of the Fiscal Court shall keep an index of all Fiscal Court records and make such index of all Fiscal Court records available for public inspection in accordance with the Kentucky Open Records Act (KRS Chapter 61).

K. ORDINANCES, ORDERS, AND RESOLUTIONS: An "ordinance" means an official written act of the Fiscal Court, the effect of which is general and lasting in nature, which is enforceable within the jurisdiction of the County; or a lawful appropriation of money.

1. All ordinances shall be introduced in writing; relate to one subject only; and contain a title which expresses the subject; such as, "An Ordinance relating to..."
2. There shall be inserted between the title and the body of each County ordinance an enacting clause written in the following manner: "Be It Ordained by the Fiscal Court of the County of Calloway, Commonwealth of Kentucky;"
3. County ordinances shall be amended by ordinance and only by setting out in full each amended section;
4. No County ordinance shall be passed until it has been read on two separate days, unless an emergency is properly declared, but ordinances may be read by title and a summary only.
5. No County ordinance shall be passed until it has been published pursuant to KRS Chapter 424. Prior to passage, ordinances may be published by summary. Publication shall include the time, date, and place at which the County ordinance will be considered, and the place within the County where a copy of the full text of the proposed ordinance is available for public inspection. In the event consideration for passage is continued from the initial meeting to a subsequent date, no further publication is necessary provided that each meeting, the time, date, and place of the next meeting is announced.
6. All County ordinances and amendments shall be published after passage and may be published in full or in summary form at the discretion of the Fiscal Court.
7. An order or resolution may be utilized for action by the Fiscal Court where the action is specific in nature, not for an uncertain time period, and which is enforceable within county boundaries. Examples of where an order or resolution may be appropriately used include: (1) Approval of claims against the county; and (2) Approval of a question

to be submitted to the electorate for the creation of a taxing district where there is statutory authority for a referendum.

CHAPTER 4 FINANCIAL MANAGEMENT

SECTION 4.1 BUDGET PREPARATION PROCEDURES

A. DEADLINES: By April 1st of each fiscal year, the County Judge shall obtain budget proposals prepared by each County office or agency receiving funds from the Fiscal Court, including the Jailer.

1. The County Clerk and Sheriff operate on a January 1-December 31 calendar year with a budget approval date of January 15. Therefore, the County will already have the County Clerk's and Sheriff's budget.

B. PROCESS AND TIMELINES:

1. The County Treasurer shall prepare a report of anticipated revenue from general fund taxes and intergovernmental transfers from city, state, and federal government.
2. The County Judge shall review the expenditures in each classification of each fund for the preceding year and for the current year.
3. The County Judge may obtain from the Calloway County Treasurer receipts for actual expenditures made during the current fiscal year.
4. An estimate shall be made of expenditures for the remainder of the current year and of any surplus, by fund, which will remain.
5. The County Judge shall obtain from the Sheriff an annual settlement showing County taxes collected, not later than October 1 of the current year and by April 1 of each year of the Calloway County Property Assessment levels from the Calloway County Property Valuation Administrator.
6. The County Judge shall submit the completed proposed budget to the Fiscal Court not later than May 1 of each fiscal year.
7. Following action by the Fiscal Court but not later than June 10, the budget shall be submitted to the Kentucky State Local Finance Officer for approval as to form and classification.
8. The County budget approved by the State Local Finance Officer shall be submitted to the Fiscal Court for adoption, in the form of an ordinance no later than July 1.
9. A summary of the County budget shall be published in accordance with KRS Chapter 424 before final adoption by Fiscal Court.
10. The County Judge shall maintain a copy of the budget as adopted, together with any amendments adopted thereafter, for public inspection.
11. Approval of the Annual Budget does not constitute permission for departments to make purchases. Factors such as cash flow and deposits on hand must always be considered before purchases are approved. The County Judge, Treasurer, and department heads

shall cooperate with each other to standardize all department supplies, material, equipment, and services where feasible before making major purchasing decisions.

SECTION 4.2 BUDGET HEARING PROCEDURES AND REQUIREMENTS

- A. COUNTY ROAD AID FUND (CRA):** Publish notice of the proposed use hearing on the CRA fund shall be published not less than seven (7) days in advance of the scheduled hearing.
1. The County Judge shall conduct the proposed use hearing.
 2. Copies of the published notice and written minutes of the hearing shall be maintained by the County Judge as public record.
- B. HEARING:** Prior to adoption of the County budget and submittal to the State Local Finance Officer, the Fiscal Court shall conduct a budget hearing on the entire County budget subject to KRS 67.077.
1. Notice of the budget hearing shall be published in at least one (1) newspaper of general circulation and other news media in the community shall be advised. The preceding shall be as follows:
 - a. Published notice of budget hearing not less than ten (10) days prior to the scheduled hearing;
 - b. The Fiscal Court shall conduct the budget hearing;
 - c. Copies of the published notice and written minutes of the hearing shall be maintained by the County Judge as public record.

SECTION 4.3 COUNTY TREASURY PROCEDURES

- A. TREASURER DUTIES:**
1. The Treasurer shall receive and deposit all funds due to the County.
 2. County funds shall be paid out only on order of Fiscal Court.
 3. No expenditures may be made in excess of revenues or for purposes other than appropriated.
 4. No appropriations may be made which exceed the adopted budget amounts.
 5. The Treasurer shall keep an Appropriation Expenditure Ledger. The ledger shall be a record of each budget appropriation, all expenditures from the appropriation and each budget fund.
 6. The Treasurer shall maintain a general ledger in which all transactions are entered, either in detail or in summary. Each fund (General Fund, Road Fund, Jail Fund, 911 Fee, Transit Room Tax, etc.) has a complete balancing set of general ledger accounts. Control

accounts are established for the Cash Receipts Register and the Appropriation Expenditure Ledger.

7. The Treasurer shall maintain a Cash Receipt Register containing columns for total cash received, source of revenue and miscellaneous revenue for each fund.
8. The Treasurer shall maintain an Appropriation Expenditure Ledger. This ledger is a group of accounts supporting in detail the appropriation and expenditure accounts of the General Ledger. An account must be provided for each appropriation made in the budget. The original appropriation and all amendments and transfers authorized by order of the Fiscal Court shall be entered. All expenditures shall be charged to an appropriation account.
9. The Treasurer shall maintain a record of all expenditures paid (except payroll) in chronological order in a Monthly Revenue Journal. Columns shall provide for date, payee, warrant number, appropriation expenditure account number and amount. Separate columns shall provide for each fund so that one register serves all funds.
10. The Treasurer shall maintain a Payroll Register Book, designed to facilitate convenient preparation and certification of the payroll. One order of the Fiscal Court may be made to authorize payment for all employees for more than one payroll period.
11. The Treasurer shall maintain an Individual Earnings Record for each employee, including gross earnings, deductions, and net pay at the time computed.
12. The Treasurer shall maintain a Short- and Long-Term Liabilities Register which provides information on notes for temporary loans in anticipation of the current year's revenue, indicating the principal amount, interest rate, due date, fund, and other necessary details.

B. COUNTY JUDGE PROCEDURES AND ADMINISTRATION:

1. At the beginning of each fiscal year, the total amount of the appropriation represents the free balance, or unused appropriation amount, for each.
2. As expenditures are made during the year, the amount of the expenditure is subtracted from the free balance to keep an accurate record of the exact amount of the unused appropriation at any time.
3. When any item is ordered, the free balance is encumbered in that amount, although it may be considerable time before the actual expenditure occurs.
4. The County Judge shall write and sign all expenditures directing the Treasurer to make payments authorized by the Fiscal Court.
5. At the close of each fiscal year the County Judge will be responsible for the preparation of records necessitated by the annual County audit and audit of the County Judge's office. The annual audits of the books, accounts, and papers of the County and the County Judge shall be conducted by the State Auditor of Public Accounts or a Certified Public Accountant.

C. CLAIMS AGAINST CALLOWAY COUNTY:

1. The County Judge shall account for all claims against the County.
2. All claims for payment from the County shall be filed in writing with the County Judge.
3. Each claim shall be recorded by date, receipt and purchase order number and presented to the Fiscal Court at its next meeting.
4. Each order of Fiscal Court approving a claim shall designate the budget fund and classification from which the claim will be paid, and each warrant shall specify the budget fund and classification.
5. The payroll for County officials and regular County employees and recurring utility expenses are hereby preapproved. Other recurring expenses may be preapproved by the Fiscal Court.
6. The depositor of Calloway County funds shall not honor any expenditure on the County unless it is signed by both the County Judge and the County Treasurer. In the absence of the County Judge, the Deputy County Judge may sign.
7. All offices collecting county or state monies shall utilize a daily deposit in an interest drawing account until settlement is made to the Commonwealth and County. County fees shall be remitted to the County no later than the 10th day of each month following the month of collection unless a written waiver is given by Fiscal Court.

CHAPTER 5 PERSONNEL ADMINISTRATION

SECTION 5.1 GENERAL TERMS & CONDITIONS OF EMPLOYMENT

- A. ABOUT THE COUNTY:** Calloway County Government, its elected representatives, and employees, are committed to enhancing the safety, education, economic well-being, and quality of life for all citizens by providing public services in a fiscally responsible and efficient manner. The County will operate in a manner that is worthy of public trust and embraces innovation, diversity, and collaboration in meeting citizen and community needs. The county government recognizes its stewardship role and strives to follow the Mission Statement:
1. "Calloway County Fiscal Court exists to oversee the business functions within the county while conscientiously managing the resources for its constituents, providing the best services possible while being financially responsible."
- B. SERVICE TO THE COUNTY:** Service to our community is what each of us does every day to make a meaningful contribution to the citizens of Calloway County.
1. Educating our Citizens is making all citizens of Calloway County informed and educated on how to be meaningfully engaged in our community. We will pursue innovative, creative, and cost-effective means of advancing Calloway County forward to meet the expectations of citizens now and in the future. We will communicate and collaborate with our citizens honestly, openly, timely and with mutual respect in order to continually improve our services.
 2. Responsible Stewardship and Efficiency is protecting the taxpayer investment. We will exhibit the highest level of stewardship to the citizens we serve, recognizing we are accountable to the public for our actions. Calloway County has a performance excellence culture built on the ability to navigate through budgetary constraints with responsible planning, and informed decision-making using meaningful policy and budgetary data analysis.
 3. Valuing Transparency and Integrity is maintaining trust through open and transparent communication, a key component of our organizational philosophy. We shall adhere to the highest ethical standards in the execution of duties and responsibilities and stay true to our values and do what is right, even when no one is looking.
 4. Excellence is the pursuit of the highest standard.
- C. ADMINISTRATIVE RESPONSIBILITIES:** These personnel policies and procedures shall be administered by the County Judge/Executive, who shall serve as Human Resources Officer in accordance with KRS 67.710.
1. The County Judge/Executive may delegate the authority for personnel matters. References to Human Resources Officer throughout this document shall mean either the County Judge/Executive or designee. Following the assignment of personnel responsibilities, the designee shall have the authority to carry out the duties and responsibilities required within this document, including the implementation and administration of these policies and procedures.

2. These policies and procedures are intended to cover most personnel problems, actions and issues which may arise. Those not specifically covered shall be interpreted by the County Judge/Executive; such interpretation shall be in concert with the spirit and letter of these policies and procedures. In addition, the County Judge/Executive may write administrative memoranda to interpret or clarify existing policies, subject to the approval of the Fiscal Court. These memoranda shall represent the policy of the County and shall be filed with the personnel policies.
3. In addition to the duties set forth in these policies and procedures, the Human Resources Officer shall;
 - a. Administer the provisions of these policies and procedures.
 - b. It shall be the duty of the Human Resources Officer to ensure that the policies and procedures reflect all subsequent amendments or additions made by the Fiscal Court. Changes to these policies and procedures shall be made in the following manner:
 1. Documentation will be kept of all county personnel having a copy of these policies and procedures, and
 2. Immediately upon official amendment or addition, the change or change(s) shall be written in a manner and format consistent with these personnel policies and procedures, and
 3. The effective date of the change shall be noted after the word "changed" in the lower left corner of each replacement page or addition, and
 4. A memorandum explaining the change(s) with the change(s) or addition(s) attached shall be distributed to all personnel assigned custody of a copy of the personnel policies and procedures.

D. EQUAL EMPLOYMENT OPPORTUNITIES: The County is an Equal Employment Opportunity (EEO) employer and as such is committed to not discriminating against people because of their race, color, religion, sex, age, national origin, disability, veteran status, pregnancy or related medical condition, marital or familial status, ancestry, political affiliation, genetic information, sexual orientation, or gender identity in hiring, promotion, discharge, pay, and other aspects of employment.

E. AMERICANS WITH DISABILITIES ACT: The ADA is an extensive and complex piece of legislation. It is an effort to obtain a federal blanket covering the patchwork of state and federal legislation that protects individuals with disabilities. The county has modified employment practices to provide reasonable accommodation in the applicant testing and hiring processes for individuals who can perform the essential functions of the job. Employees who require assistance to perform the essential elements of their positions should immediately contact human resources.

F. AFFIRMATIVE ACTION PLAN: The Calloway County Affirmative Action Plan reflects this administration's commitment to good government and the equitable treatment of all applicants and employees. Employees and citizens of Calloway County are our most valuable resources. Equal Employment Opportunity, as well as opportunities for professional growth, shall be available to all applicants and employees regardless of race, color, sex, disability, age, national origin, religion, sexual orientation, gender identity or

expression, pregnancy, or related medical condition, marital or familial status, ancestry, political affiliation, genetic information, or veteran status. This policy applies to all personnel matters, including but not limited to recruiting, hiring, classification, compensation, benefits, promotions, transfers, layoffs, reinstatement, and educational programs. It is the policy of Calloway County that no applicant for employment or employee will be subject to harassment or discrimination because of race, color, sex, disability, age, national origin, religion, sexual orientation, gender identity or expression, pregnancy or related medical condition, marital or familial status, ancestry, political affiliation, genetic information, or veteran status.

1. In keeping with our policy of equal employment opportunity, the County will continue to exercise every equitable means to ensure that applicants for employment, as well as present employees, are treated equally.
2. The policy shall apply to employment, promotion, demotion, or transfer, recruitment, layoff or termination, rates of pay or other terms of compensation; and selection for training in all positions.
3. Each Department Head/Supervisor has the responsibility of encouraging cooperation in the achievement of the objective of this policy, as witnessed by his signature of this document.
4. The equal employment opportunity program will be reviewed frequently to determine the progress being made.

G. WORKPLACE VIOLENCE: The county has zero tolerance for workplace violence or the threat of violence by any of its employees, customers, the public, or anyone who conducts business with the county. The county will strive to provide a safe workplace that is free from intimidation, threats, and violent acts. Each incident of violent behavior shall be reported to the victim/witness' immediate department supervisor or next level of supervision. The department supervisor of an employee aggressor shall also be notified. In critical incidents in which a serious threat or injury occurs, emergency responders shall be immediately notified. Employees who, in good faith, report actual or suspected violent behavior shall not be subject to any form of retaliation or harassment. The names of employees reporting acts of violence shall be kept confidential to the extent possible. Any retaliation or harassment, however, shall be reported by the employees to their department supervisor or the next level of supervision for investigation and disposition. Even in the case where an employee has not secured a court order but fears for his or her safety, the employee should notify his or her immediate department supervisor or human resource.

H. WORKPLACE HARASSMENT: It continues to be the policy of the Calloway County Fiscal Court that harassment of its employees in any form is prohibited. The county is committed to providing and maintaining a work environment that is free of harassment in compliance with local, state, and federal regulatory requirements.

1. Workplace harassment prohibited by this policy is defined as:

Unwelcomed verbal or physical conduct that (a) slanders or shows hostility toward an individual or group of individuals because of race, color, religion,

national origin, age, disability, gender, gender identity, sexual orientation, or any other factor that is protected by applicable law, (b) has the purpose or effect of creating a hostile or intimidating environment, or (c) interferes with an individual's work performance or employment.

2. Workplace harassment also occurs when an employee is forced to choose between submitting to harassment and some unfavorable job consequence such as not being hired, being discharged, or losing a promotion. Verbal threats that are not carried out may also constitute harassment. Such behavior is prohibited whether between supervisors and employees, among coworkers, or directed at county government employees by non-employees.

I. HOSTILE ENVIRONMENT HARASSMENT: Involves unwelcome comments or actions that relate to an employee's race, color, gender, religion, national origin, age, disability, or other protected classification, which affects the employee's psychological well-being at work and/or which creates an offensive or hostile work environment.

1. Examples of prohibited behavior include but are not limited to the following.
 - a. Racial or ethnic slurs.
 - b. Written or graphic material that shows hostility or ridicule toward an individual or group.
 - c. Jokes that demean a racial or religious group or demean a particular nationality, gender, or other protected group(s) of persons.
 - d. Hazing, which can include humiliation, practical jokes, and horseplay.
 - e. Other behavior that creates a hostile, intimidating work environment.

J. SEXUAL HARASSMENT: Generally involves unwelcome verbal or physical conduct of a sexual nature and occurs when (a) submission to such conduct is made either implicitly or explicitly a term or condition of an individual's employment, (b) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or (c) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

1. Examples of prohibited behavior include but are not limited to the following.
 - a. Demands for sexual favors accompanied by threats concerning an individual's employment status.
 - b. Demands for sexual favors accompanied by promises of special treatment concerning an individual's employment status.
 - c. Verbal, written, or graphic communications of a sexual nature.
 - d. Unwelcome physical touching including patting, pinching, or other unnecessary/unwelcome contact with another's body.
 - e. Offensive comments, jokes, innuendoes.
 - f. Other sexually oriented statements and sexual conduct, which has the purpose, intent, or effect of interfering with an individual's work performance, or which creates an intimidating, hostile, or offensive work environment.

K. HARASSMENT REPORTING RESPONSIBILITIES: It is the responsibility of every employee to adhere to the Policy and Procedure for Harassment Complaints. No employee, regardless of job classification, is exempt from this policy.

1. Employee: Any employee with questions or concerns about any type of harassment in the workplace or who believes he/she has been the subject of harassment or who has witnessed another employee as the subject of harassment should report the alleged problem immediately to the Human Resources Department.
 - a. An employee is not required to address the person they allege is the cause of the problem, nor is an employee required to report the complaint to their department supervisor.
2. Department Head: Department Heads must take all complaints or concerns of alleged or possible harassment or discrimination seriously no matter how minor or who is involved. Should a department head receive a complaint of harassment witness a harassing act, he/she will be required to report the alleged problem immediately to the Human Resources Department and take no immediate action pending the advice of the Human Resources Department.
 - a. Department Heads will take appropriate action to prevent retaliation or prohibited conduct from reoccurring during and after any investigations or complaints.
 - b. Department Heads who knowingly allow or tolerate harassment or retaliation are in violation of this policy and subject to discipline.

L. RETALIATION PROHIBITED/WHISTLEBLOWER PROTECTION: Retaliation (e.g., for filing a bona fide complaint or for assisting in an investigation) is prohibited and should be reported. Similarly, all employees should realize that this policy does not support false accusations.

1. Whistleblower protections are provided in two important areas:
 - a. Confidentiality: Insofar as possible, the confidentiality of the whistleblower will be maintained. However, identity may have to be disclosed to conduct a thorough investigation, to comply with the law and to provide accused individuals their legal rights of defense.
 - b. Retaliation: The County will not retaliate against a whistleblower. This includes, but is not limited to, protection from retaliation in the form of adverse employment actions such as termination, compensation decreases, or poor work assignments and threats of physical harm. Any whistleblower who believes he/she is being retaliated against must contact Human Resources immediately. The right of a whistleblower for protection against retaliation does not include immunity for any personal wrongdoing that is alleged and investigated. All reports of illegal and dishonest activities will be promptly submitted to Human Resource, who is responsible for investigating and coordinating corrective action.

M. INVESTIGATION PROCEDURES: The investigation will include, but shall not be limited to, interviews with all relevant persons including the complainant, the accused, and other potential witnesses. Employees are assured that the privacy of the complainant and the person accused of harassment shall be protected to the fullest extent permitted by law. The

Fiscal Court will review its findings with the complainant at the conclusion of the investigation. If the investigation reveals that the complaint appears to be valid, immediate, and appropriate corrective action, up to and including discharge, will be taken to stop the harassment and prevent its recurrence. Employees are advised disciplinary action may also be taken against persons found to have knowingly and purposely filed false claims against this and all anti-discrimination or harassment policies.

- N. CONSEQUENCES FOR HARASSMENT:** Any department head or employee who violates any portion of this policy will be subject to appropriate disciplinary action up to dismissal. Persons who violate this policy also may be subject to civil damages or criminal penalties.

SECTION 5.2 EMPLOYMENT

- A. AT-WILL:** It shall be the policy of the County to maintain equal employment opportunities for its labor force which will be in compliance with applicable federal and state laws. The County is an "at-will" employer. What does this mean? Kentucky is an "employee at will" doctrine state. In Kentucky, your employer can terminate you at any time, with or without reason, and you can quit at any time, with or without reason.
- B. ORIENTATION:** On or before the first day of employment, all new employees shall report to the Human Resource office to supply and/or receive any information needed to complete personnel records, execute payroll withholding authorization and enroll in the employee benefit program.
1. During this time, the potential new hire will receive important information regarding the requirements of your position, basic County policies, your compensation and benefit programs, plus other information necessary to acquaint you with your job and the County. Necessary paperwork will be assigned or completed at this time, such as medical benefit plan enrollment forms, beneficiary designation forms, and appropriate federal, state, and local tax forms.
 - a. At this time, you will be required to present the County with information establishing your identity and your eligibility to work in the United States in accordance with applicable federal law.
 2. Please use orientation to familiarize yourself with the County and our policies and benefits. We encourage you to ask any questions you may have during this program so that you will understand all the policies and guidelines that affect and govern your employment relationship with us.
- C. PROBATIONARY PERIOD:** The first three (3) months of full-time employment are a probationary period. The probationary period provides you and the County with the opportunity to determine if the working assignment is mutually satisfactory. If, during this period, either you or the County decides the working arrangement is not satisfactory, either party may terminate the relationship without cause or notice subject to applicable law. The probationary period may be extended for up to an additional six (6) months at the discretion of the Department Head and Human Resource. Any interruption of service during the probationary period will not be counted as part of the probationary period.

1. Part-time employees who are converted to full-time status will be required to complete the probationary period.
2. Completion of the probationary period is not a guarantee of continued employment and does not alter the employee's status of employment.
3. An employee may be placed on probationary status for disciplinary reasons; the length of the probation period shall be in line with the cause for disciplinary action.

D. CLASSIFICATION OF EMPLOYEES: All employees of the County workforce shall be classified as full-time, part-time, seasonal, or temporary (as defined by KRS 78.510 (21))

1. Full-time Employee: An employee who works 40 hours or more per week on a regular scheduled basis and is eligible for all County fringe benefits.
 - a. Overtime compensation will not be given until more than 40 hours per week are worked.
2. Part-time Employee: An employee who works less than 25 hours per week on a regular scheduled basis or averages under 100 hours a month but is not eligible for County fringe benefits.
 - a. Employees receive CERS benefits when averaging over 100 hours per month over a one (1) year period. The period is either fiscal or calendar year and is calculated by both methods with the employee qualifying by either method.
3. Seasonal Employees: An employee who works for a specific period of time (not to exceed 6 months) for a specific season for the County, which may recur from year to year. Seasonal employees are not considered full-time regardless of the number of hours worked in a day and are not eligible for County fringe benefits. However, any hours worked over 40 will be paid at an overtime rate. A seasonal employee cannot be moved to another classification after they are terminated at the end of a season.
4. Temporary Employee: An employee who is non-bonded and works with the County for a period of time not to exceed twelve (12) months and not renewable. Temporary employees may work up to 40 hours per week during this 12- month period but are not eligible for County fringe benefits.

E. JOB DESCRIPTIONS: A written job description exists for each non-elected position in the County. In general, the description covers the purpose of the job, job duties, the supervision of the work, the qualifications required, and working conditions affecting the job. Human Resource has ultimate responsibility for the development of job descriptions. All job descriptions are reviewed periodically to assure that they reflect current responsibilities. If you believe the job description is not accurate, please notify your department head or Human Resource, as appropriate. Accurate job descriptions are important in the evaluation of an employees' job performance.

F. FILLING VACANCIES: The County Judge may transfer or promote an existing employee into a vacant position where that employee meets all qualifications for that position. The County Judge is not mandated to fill open positions with internal candidates. The County Judge may

fill vacant positions from applications already at hand or by any means which does not violate state law. The County is not required to advertise any employment vacancies prior to filling a position. In compliance with state law, all employee appointments made by the County Judge require Fiscal Court approval or the employment shall be considered invalid.

1. **APPOINTMENTS:** Appointment to an established position with the county shall be made only after the Executive Authority has determined that the person being considered meets all qualifications prescribed in the position description for the class in which the appointment will be made.
 - a. **Transfer or Promotion:** This policy shall apply to current employees who request a transfer or promotion to a vacant position as well as new applicants for employment or reemployment.

G. HIRING PROCESS: When a vacancy occurs within the county, current employees who wish to apply for the position must present a written statement of interest to Human Resources, thus indicating the employee's interest in the vacant position. The Executive Authority may fill the vacancy by either promoting current employees or employing a person from outside the service.

1. When filling vacancies from outside the county:
 - a. The county's open application policy allows persons interested in employment with the county to complete an Employment Application Form at any time, regardless of whether or not vacancies exist. The applicant must indicate the position applied for, and the Employment Application Form will be considered active for a period of six months.
 - b. All vacancies to be filled by someone from outside the county may be advertised minimally on the county's official webpage. Advertisements shall include such information as where to apply, deadlines for application, compensation range for the position.
 - c. The Executive Authority shall consider all completed application forms from all persons who meet the minimum qualifications for the position when making appointment decisions.

H. PERSONNEL FILES: For each County employee, a personnel file shall be maintained in the office of Human Resource. The Department Head may maintain a separate file needed for emergency contacts and job-related information only.

1. **Changes:** It shall be the obligation of the employee to maintain current information by notifying Human Resource of all changes in personal or family status, home address, home telephone number, or any other changes which would affect payroll withholding or employee benefits. Changes must be reported within 20 days of the change.

I. PERFORMANCE EVALUATIONS: Performance evaluations are the method of evaluating each employee on a periodic basis as to the employee's job performance. The job performance of county employees is important. Supervisors may be required to evaluate the performance of all eligible classified employees each year. The evaluation may be considered in determining eligibility for discretionary salary advancements, promotions, and disciplinary actions.

- J. EMPLOYEE TRAINING:** County employees may be required by law or by directive from the Fiscal Court to undergo training related to their position with the County. It is each employee's responsibility to ensure they attend and complete all training required for their position. Failure to attend and/or complete training as required may result in disciplinary action up to and including termination of employment.

SECTION 5.3 HOURS OF WORK & ATTENDANCE

- A. SCHEDULED HOURS:** County offices shall be open to the public during general business hours as approved by the County Judge or Executive Authority.
- B. OPERATING HOURS:** An employee's scheduled hours shall be assigned by the department head with approval of the County Judge or Executive Authority.
1. The workweek begins and ends for purposes of wage computation and other purposes at 12:01 a.m. on Sunday.
 2. Scheduled overtime work shall be submitted in writing and approved in advance by the Judge Executive except in necessary circumstances where the Judge Executive shall be required to approve the overtime work after the occurrence. All overtime hours will be sent by Department Heads in written form, containing hours and explanation to the Judge Executive no later than the Monday following the completed pay period.
- C. ATTENDANCE:** Employees are expected to work the entire schedule which their position calls for. For example, an employee who is scheduled to work a 40.0-hour work week, must do so, or use appropriate excused time off to build the schedule to 40.0 hours. Employees may not choose to take unpaid time off in lieu of using accrued vacation or sick hours. Any day that drops below the required number of hours scheduled to work must have excused time off applied (if applicable), or the unworked hours will be unexcused.
1. **PUNCTUALITY AND ATTENDANCE:** Employees are hired to perform important functions in the County. As with any group effort, operating effectively takes cooperation and commitment from everyone. Therefore, attendance and punctuality are very important. Unnecessary absences and lateness are expensive, disruptive, and place an unfair burden on fellow employees and supervisors. We expect excellent attendance from all employees. Excessive absenteeism or tardiness will result in disciplinary action up to and including dismissal.
- D. CALL IN PROCEDURE:** We do recognize, however, there are times when absences and tardiness cannot be avoided. In such cases, employees are expected to notify supervisors as early as possible, but no later than one hour prior to the start of the workday. Employees should call, stating a brief reason for the absence or tardy and its expected duration. Unless otherwise understood by the initial call, notification to the supervisor shall be made for every day of absence.
- E. JOB ABANDONMENT/NO CALL-NO SHOW:** Employees who are absent from work for three (3) consecutive days, without reporting their absence according to the policy, the act will be considered as a voluntary resignation by the employee.

- F. MEAL AND REST BREAK PERIODS:** All employees are entitled to scheduled meals and rest break periods, the times of which vary from department to department, depending upon departmental needs. Meal periods will be scheduled as close as possible to the middle of the shift, generally between the 3rd and 5th hour of the shift, unless the employee and department director agree otherwise. One-half (1/2) hour without pay is allotted for lunch. In addition, employees shall receive a ten (10) minute rest break period for each four (4) hours worked. The rest break periods are considered as paid time. The supervisor is responsible for coordinating the meal and rest break periods of their assigned employees taking into consideration the operational needs of their particular department or work group.
- G. EMERGENCY WORK HOURS POLICY:** Certain employees may be required to be available to fulfill work requirements beyond their regular scheduled hours in emergency situations. While their availability is appreciated, employees are encouraged to respond as promptly as possible when contacted. Employees must be prepared to report to duty, ready to contribute to the operational needs of the County.
1. In the event of emergency call-ins or call-outs, employees will receive compensation at their regular hourly wage. There will be a minimum of two (2) hours paid per call-in or call-out occurrence.
- H. INCLEMENT WEATHER POLICY:** In times of inclement weather when county facilities remain open, employees who do not report to work or request to leave early will be required to charge their absence against any personal time they may have accrued. If no such time is available, the employee will forfeit his pay for the time absent. In the event that the County Judge, advised by the Emergency Management Director, orders the county facilities temporarily closed, employees who normally work in the affected facilities, who leave work or do not report for the time closed, will be paid their regular wages for the day(s). The Executive Authority shall determine which employees are essential during the inclement weather closure. Essential workers who are required to work during a business closure issued by declaration in order to meet operational requirements will be paid at the rate of one and a half times their normal rate.
- I. RECORDING WORK HOURS:** All non-exempt/hourly employees shall clock in and out each workday. Those employees who do not have a designated department time clock will record daily working hours in accordance with department regulations.

SECTION 5.4 PAY POLICIES

- A. SUMMARY:** The County will attempt to pay wages and salaries that are competitive with those currently paid for similar jobs by other government entities of a similar size. Salaries and wage rates are reviewed annually. However, pay increases are not guaranteed to anyone at any time. Factors to be considered in granting pay increases include but are not limited to: the financial condition of the County, changes in the cost of living, and the performance, qualifications, and experience of the employee under consideration for a pay increase. Increases in salary are not a guarantee of continued employment with the County.

- B. DEFINITIONS:** For payroll purposes, employees are classified as either “exempt”/ “salary” or “non-exempt”/ “hourly.” This classification is required by law and is based on the type of work performed by the employee. Your job description will indicate your payroll status.
1. Exempt/Salary: An exempt employee shall be paid on a bi-weekly basis and is not required to be paid overtime under applicable laws for work in excess of their normal work week. All exempt employees are subject to the sick leave and vacation leave policies of the County. These employees shall be required to maintain and turn in a time sheet showing the number of hours worked.
 2. Non-exempt/Hourly: A non-exempt employee shall be paid on an hourly basis and is required to be paid overtime under applicable federal and state laws for any hours physically worked in excess of forty (40) in a given workweek.
 - a. Under no circumstance will non-exempt/hourly employees be allowed to work from home for compensation unless mandated by Executive Order.
 3. Assignment: You will be informed of your initial employment classification and of your status as an exempt or non-exempt employee during your orientation session. If your position is reclassified pursuant to the Fair Labor Standards Act, you will be informed by the Human Resources Department of any change in your status. An employee who believes that he or she is incorrectly assigned to an exempt/nonexempt status may request a review of that status. All such inquiries about employment classification or exemption status should be directed to the Human Resources Department.
- C. PAYCHECKS:** All employees shall be paid by direct deposit on a bi-weekly basis. The paycheck shall represent pay for work performed during the prior pay period.
- D. OVERTIME PAY:** Due to the nature of their work, exempt employees are not subject to the overtime pay provisions of the law. A non-exempt/hourly employee shall be paid overtime pay based on his or her hourly wages at the time the overtime is worked.
1. Unless otherwise required by applicable law, overtime pay shall be one and one-half times the employee’s normal hourly rate of pay for time worked in excess of forty (40) hours of work in any one workweek. Vacation, holiday, and sick leave will not be counted as “hours of work” for overtime purposes.
 2. Non-exempt employees may receive time-off in lieu of extra hours worked when the time off is taken on an hour-for-hour basis and is taken during the same workweek. Overtime hours may never be transferred to a different workweek.
 3. No compensatory time shall be accrued by any employee for any reason.
- E. SEVERANCE PAY:** The County does not provide employees with severance pay upon their voluntary or involuntary separation from employment. At separation, the County will pay all earned, but unpaid salary or wages plus accrued but unused vacation time.
1. Accrued vacation payout will not exceed two hundred forty (240) hours.

- F. TRAVEL EXPENSES:** Subject to budgetary limitations, any officer or employee of the County incurring expenses for approved travel on behalf of the County shall be reimbursed for allowable out-of-County travel. All travel by County employees must be approved in advance by the County Judge or Executive Authority. Meeting notices supporting travel shall be submitted with the travel request, when available.
1. Mileage: The mileage reimbursement rate is set at 5 cents less than the Federal Rate if traveled by a personal vehicle. The rate is updated January 1, April 1, July 1, and October 1 of each calendar year. This information can be found on this website: <https://www.irs.gov/tax-professionals/standard-mileage-rates>.
 - a. When available, the authorized traveler will utilize a County-Owned vehicle in lieu of mileage reimbursement.
 2. Air Fare: Lowest coach fare. County Judge approval required.
 3. Hotel & Costs: Reimbursement for actual amount of room only. No room service, movies, etc. will be reimbursed. Request government discount rates when possible. Reservations may be prepaid by the County when necessary and appropriate.
 4. Conference and registration fees: Attendance shall be approved in advance by the Elected Official or the County Judge and may be prepaid when necessary and appropriate.
 5. Meal Costs: An employee shall be reimbursed for meals only if the employee's travel is outside of his/her required work area. If meal expenses are included in registration fees, duplicate meals are not reimbursable. The amount for those daily allowances will follow the state recommended rates and will be reimbursed upon submission of a travel voucher.
 - a. Higher reimbursement rates may be authorized due to travel site (i.e., high-rate areas). Commonwealth of Kentucky regulations shall be utilized. https://finance.ky.gov/office-of-the-controller/office-of-statewide-accounting-services/Documents/Secretarys%20Order%202021_103.pdf
 6. Reimbursement: The request for reimbursement form must be completed and submitted to the Treasurer's Office within (30) thirty days after returning from travel.
 - a. The request for reimbursement form must be signed by the employee requesting reimbursement, the department head, and the Treasurer.
 - b. Itineraries must be available upon request.
 7. Exceptions: The following items are not subject to reimbursement.
 - a. Alcoholic beverages
 - b. Entertainment
 - c. Laundry and dry cleaning
 - d. Expense of Spouse traveling with employee

SECTION 5.5 LEAVE POLICIES

A. SUMMARY: The County offers leave benefits that allow employees to take time off from work for various reasons such as personal leave and sick leave.

1. All leave requires the completion of a Leave Form with approval by the Department Supervisor.
2. All Leave Forms and Documentation will be forwarded to The Human Resource Department for review and maintaining of personnel files.

B. PAID ANNUAL VACATION LEAVE: Because the County recognizes the importance of vacation time for rest, recreation and personal activities, regular full-time employees will be granted annual paid vacation leave.

1. **Eligibility:** New employees are eligible to use vacation leave after completing the probationary period. However, employees on probation as a result of promotion, demotion or transfer may still take accrued vacation leave. Part-time and temporary employees are not eligible for vacation leave. Annual vacation leave is paid at the employee's current salary or rate of pay.
2. **Amount:** The length of service and scheduled hours worked per week determines the amount of vacation leave available each year.
 - a. Employees who work forty (40.0) hours per workweek will be granted the following number of days each year of unbroken service:

Years of Service	Hours Awarded
1-4	96
5-9	120
10-14	160
15-19	200
20+	240

3. **Accrual:** Vacation leave accrues each month at the rate of 1/12th of the annual amount monthly and is credited on the first day of the next month. Employees who begin work on or before the 15th of the month shall accrue vacation leave for the month; employees who begin work on or after the 16th of the month shall not accrue vacation leave for the month. Employees who end work on or before the 15th of the month shall not accrue vacation leave for the month; employees who end work on or after the 16th of the month shall accrue vacation leave for the month. Accrued vacation may be carried over to following years, with a maximum of 240 hours of carryover.
 - a. Vacation will accrue at the regular rate during annual, paid vacation. Vacation will also accrue during paid sick leave. Employees on paid workers compensation leave will accrue vacation leave through the sixth (6th) month of workers' compensation leave.
 - b. Vacation does not accrue during any type of unpaid leave.

4. Scheduling: Vacation may not be taken in excess of the amount accrued at the time the vacation begins. Vacation may only be taken up to the number of hours scheduled to work.
 - a. Vacation leave shall not be taken unless it is requested in writing and approved in advance by your supervisor. Vacation leave of forty (40) hours or more must be requested in writing at least one (1) month in advance, except in extenuating circumstances. Department Supervisors have discretion to consider department staffing needs when considering requests for vacation leave, as well as determining some days that will have no vacation approval (i.e., mandatory training days).
5. Vacation Payout: Employees who have completed their probationary period are paid for all accrued but unused vacation up to 240 hours when their employment with the County ends. Payment for accrued vacation is made within fourteen (14) calendar days of the last day of work.
 - a. Employees who separate before completing their probationary period were not eligible to take vacation and therefore will not be compensated for accrued vacation leave when they separate from service.
 - b. Employees who leave employment not in good standing such as without providing a two-week notice or job abandonment as well as those who are terminated for cause due to gross misconduct or gross negligence, will not receive pay for unused vacation leave.

C. HOLIDAY PAY: The Fiscal Court shall adopt a holiday schedule prior to commencement of each calendar year and shall make it available to all County employees and department heads.

1. Additional Dates: In addition to the adopted holiday schedule, any day may be designated as a holiday by proclamation of the County Judge, with the approval of the Fiscal Court.
2. Payment: Any full-time employee occupying a full-time position shall receive eight (8) hours of time off at the regular rate of pay for each holiday falling within their regular workday schedule. Any part-time employee shall receive four (4) hours of time off at the regular rate of pay for each holiday, provided they work during the pay period in which the holiday falls.
 - a. In order for an employee to be paid for a holiday, the employee must work his or her last scheduled day before and his or her first scheduled day after the holiday unless the absence is approved in advance.
3. Working on Holiday: Some department employees will be required to work on holidays. From time to time, department directors may require other employees to work on holidays as well. Non-exempt employees who are required to work on an observed holiday will receive time and a half (1 1/2) rate of pay for actual hours worked on a holiday plus eight (8) hours of holiday pay.

- a. ~~Part-time~~, Seasonal and Temporary employees will only be paid for actual hours worked on a holiday.
- 4. Disability Leave on Holiday: Employees who are off work due to disability, whether or not the reason for the disability is work-related, shall not receive holiday pay, but only the regular compensation due to the employee under disability or workers' compensation benefits.
- 5. FMLA on Holiday: If the holiday falls in the pay period that an employee is concurrently using FMLA and sick/vacation leave, the employee qualifies for holiday pay.
- 6. Vacation on Holiday: Employees who do not work on the holiday but are on vacation leave shall receive their holiday pay only for that day.
- 7. Sick on Holiday: Employees who do not work on the holiday but are on approved sick leave shall receive their holiday pay only for that day.

Change 12/182024 with effective date of 01/01/2025.

D. PAID SICK LEAVE: It is recognized that employees may become ill or injured through no fault of their own and, therefore, be unable to perform assigned duties. This policy covers these kinds of circumstances. This policy is a privilege granted to protect your income when absence from work is caused by illness or injury. The sick leave policy is intended to encourage the accumulation of sick leave to cover an extended illness. Accumulated sick leave should not be considered as earned time off with pay and may not be used in this manner. Abuse of the privilege may be deemed justification for termination of the employee.

- 1. Eligibility: New employees are eligible to use sick leave after completing the probationary period. Part-time, seasonal, and temporary employees are not eligible for sick leave. Sick leave is paid at the employee's current salary or rate of pay.
- 2. Accrual: Full-time employees shall be eligible for sick leave at the rate of eight (8) hours per month and is credited on the first day of the next month. Employees who begin work on or before the 15th of the month shall accrue sick leave for the month; employees who begin work on or after the 16th of the month shall not accrue sick leave for the month. Accrued sick leave may be carried over to the following years.
 - a. Sick Leave will accrue at the regular rate during annual, paid vacation. Sick Leave will also accrue during paid sick leave. Employees on paid workers' compensation leave will accrue sick leave through the sixth (6th) month of workers' compensation leave.
 - b. Sick Leave does not accrue during any type of unpaid leave.
- 3. Scheduling: Regular, full-time employees are eligible to take no more than the amount of accrued leave. Unused sick leave will roll over from one calendar year to another and there is no limit to the amount of sick leave which may be accrued and carried over from year to year during employment.

- a. If employees will be out of work due to illness, they are expected to call in and notify their supervisor as early as possible, but no later than the start of the workday.
 - 1. The County will not accept notice from spouses or others unless the employee is too ill to do so and substantiates that fact to satisfaction upon return.
- b. Requests for extended sick leave must be submitted in writing to your supervisor as far in advance as possible.
 - 1. If it is not possible to request sick leave in advance because of the severity or suddenness of the illness, a request for sick leave must be made to your supervisor before you are scheduled to work, except in extenuating circumstances which are substantiated. In the latter case, you must notify Human Resource as soon as possible, but in no event later than three (3) workdays after the leave begins.
 - 2. If the sick leave absence lasts three (3) or more days, written medical documentation will be required when the employee returns to work.
 - 3. When you notify your supervisor of the need for extended sick leave, you must also inform Human Resource of the reason(s) for the need for leave at that time. This is necessary in part for the County to determine if the leave is covered by the County's Family and Medical Leave Policy. Failure to explain the reason for the leave may be cause for denial of the request for leave.
- 4. Abuse of Sick Leave: Employees may use sick leave only for the purposes stated in this section. Abuse of sick leave may result in disciplinary action up to and including termination of employment. Sick leave abuse may include, but is not limited to, using sick leave in conjunction with holidays or weekends, and using sick leave as soon as it is accrued, thus not carrying an adequate sick balance over an extended period of time.
 - a. The County reserves the right to request medical documentation for any paid sick leave used.
- 5. Sick Leave Payout: Employees will not be compensated for unused sick leave upon separation from employment with the County.
 - a. Employees who retire under the County Employees Retirement Plan ("CERS"), who were hired prior to January 1, 2014 may exchange up to six (6) months of accrued sick time for an equal amount of service credit towards retirement. Any accumulated sick leave at time of retirement will be rolled into retirement according to KRS 78:616.

E. DONATION OF SICK LEAVE: Participation in the Sick Leave Sharing Program is at the discretion of the employee and requires approval of the County Judge or Elected Official.

- 1. Eligibility: Both recipients and donors must be current full-time employees of the County.
- 2. Criteria: The following requirements must be adhered to in order to share sick time.

- a. The employee or their immediate family member must have a verifiable medical condition requiring leave.
 - b. A licensed physician must certify the need for absence if it exceeds three consecutive working days.
 - c. The minimum donation is eight (8) hours of sick time.
 - d. The total amount of donated and received sick leave cannot exceed the approved unpaid medical leave period nor does it have to cover all of the unpaid medical leave.
3. Process: The donation of time will be considered on a case-by-case basis. The employee requesting donated sick leave must submit an Application for Sick Leave Sharing form to their supervisor. If an eligible employee chooses to donate, the donor must then submit the Sick Leave Donation Form to their supervisor. These forms are then sent to Human Resources, who will review and submit accepted documents for approval/signature by the County Judge or Executive Authority.
 4. Special Provision: Employees giving notice of resignation may donate sick leave if they meet the criteria and complete the process. Donated leave cannot be given to any recipient who does not meet the eligibility and criteria.

F. FAMILY AND MEDICAL LEAVE ACT (FMLA): All employees who have completed one year of continuous employment and worked at least 1,250 hours during the previous 12-month period immediately preceding the commencement of the leave, shall be entitled to Family and Medical Leave (FMLA).

1. General Provisions: The County will grant up to twelve (12) weeks (or up to 26 weeks of military caregiver leave to care for a covered service member with a serious injury or illness) during a 12-month period to eligible employees. The leave may be paid, unpaid or a combination of paid and unpaid leave, depending on the circumstances of the leave and as specified in the Family and Medical Leave Policy and Procedure of the U.S. Department of Labor.
 - a. <https://www.dol.gov/agencies/whd/fmla>
2. Eligible Employee Events:
 - a. The birth of a child and to care for the newborn child within one year of birth;
 - b. The placement with the employee of a child for adoption or foster care and to care for the newly placed child within one year of placement;
 - c. To care for the employee's spouse, child, or parent who has a serious health condition;
 - d. A serious health condition that makes the employee unable to perform the essential functions of his or her job;
 - e. Any qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent is a covered military member on "covered active duty."
3. Process: There are specific forms that are used for the administration of the Family and Medical Leave Act. To obtain the correct forms or to ask questions, please visit the Human Resources Department.

4. Maternity Leave: The County Judge or Elected Official may grant maternity leave based on standards set forth by FMLA policy for full-time employees with temporary disability due to pregnancy, childbirth, adoption, or any impairment thereof, and miscarriage for a period not to exceed six weeks. An additional period may be extended if requested by the employee's physician.
 - a. An employee granted maternity leave shall use any accrued sick leave and vacation time with the remaining periods as time off without pay.
 - b. The employee must notify Human Resource as far as possible in advance of the employee's intention to request Maternity Leave, including approximate dates, in order to allow the County time to prepare for any staff adjustments.
 - c. The maximum allowable Maternity Leave, including the use of sick leave, sick leave without pay, and leave of absence without pay is six (6) months. If the employee returns to work at any time prior to the six (6) months maximum, she will return to full time pay status at the regular salary without loss of seniority or fringe benefits.
 - d. The Calloway County Fiscal Court recognizes and approves the same allowable unpaid time off for Paternity leave that is outlined in the standards set by FMLA policy.

G. MILITARY LEAVE: Pursuant to KRS 61.394 and 61.396, all employees of this county, or of any department or agency thereof, who are members of the National Guard or of any reserve component of the Armed Forces of the United States, or of the reserve corps of the United States Public Health Service, shall be entitled to leave of absence from their respective duties, without loss of time, pay, regular leave, impairment of efficiency rating, or of any other rights or benefits to which they are entitled, while in the performance of duty or training in the service of this state or of the United States under competent orders as specified in this section. In any one (1) federal fiscal year, officers, or employees, while on military leave, shall be paid their salaries or compensations for a period or periods not exceeding twenty-one (21) calendar days. Any unused military leave in a federal fiscal year shall be carried over to the next year. Any unused military leave shall expire two (2) years after it has accrued. The employee shall give the County two (2) weeks' notice prior to the scheduled leave if time permits.

H. CIVIL LEAVE: Employees may be allowed leave to serve as members of a jury, take examinations for state positions, or perform other civil duties such as voting.

1. Jury Duty: Upon receipt of the order requiring the employee to report for jury duty, the employee must show the order to the office supervisor. There will be no deductions from accumulated leave. The employee will be allowed to keep pay received for serving on a jury without deduction from full regular salary.
2. Voting: Any person entitled to vote in any election in this state shall follow KRS 118.035 which states: employers are required to allow their employees a reasonable time, but not less than four (4) hours to cast his/her vote on election day or an established early voting day. The statute does require an employee seeking leave to cast a ballot to provide his/her employer with advance notice of at least one (1) day. For all county employees, the time off shall constitute unpaid leave.
 - a. Failure to vote during voting leave can result in disciplinary action.

I. BEREAVEMENT LEAVE: The County recognizes that the occurrence of a death in the family of an employee may require the absence from work of that employee for a period of time. Regular, full-time employees may take a maximum of twenty-four (24) hours leave with pay to attend to funeral matters in cases involving the death of an immediate family member and eight (8) hours leave with pay to attend to funeral matters in cases involving the death of an extended family member.

1. Immediate Family: Immediate family is defined as spouse, child, stepchild, parent, stepparent, grandparents, grandchildren, sibling, current in-law of the same relation, or any relative domiciled in the employee's household.
2. Extended Family: Extended family is defined as an employee's aunt, uncle, first cousin, niece, or nephew.
3. Extended Time: In the event an employee desires to extend leave beyond twenty-four hours leave due to a death in the immediate family, or beyond the eight (8) hours leave due to a death in the extended family, the employee may use sick leave, or vacation leave.
 - a. When the employee has no paid leave available, a reasonable extension of time or exception may be granted at the discretion of the Judge Executive in the case of extenuating circumstances.
4. Documentation: Employees shall inform their supervisors prior to commencing bereavement leave. A Leave Form will be submitted prior to or immediately upon return from leave.
 - a. The County may require verification of death.

J. OFF-DUTY DISABILITY LEAVE: An employee who is unable to perform required duties as a result of off-duty illness or injury shall be allowed to use all accrued sick leave, then accrued vacation leave. Further extension of leave without pay must be specifically authorized by the Executive Authority.

K. SPECIAL LEAVE: The County recognizes that a rare or extenuating occurrence may require the absence from work of an employee. Employees may request up to thirty (30) days of unpaid leave.

1. Classification:
 - a. Medical: The employee has no paid leave time available and does not qualify for or has exhausted the entire 12 weeks provided by FMLA.
 - b. Personal: The employee has no paid leave time available.
2. Requests:
 - a. Medical: Request for leave for medical reasons shall be submitted in writing to Human Resource, stating reasons for the request, doctor documentation, the date the leave shall begin, the duration (whether a block or intermittent dates), and the probable date of return.

- b. Personal: Request for leave for personal reasons shall be submitted in writing to Human Resource, stating reasons for the request, the date the leave shall begin, the duration (whether a block or intermittent dates), and the probable date of return.
- 3. Approval: The decision to grant leave time is at the sole discretion of the County Judge or Executive Authority.
- 4. Employee Responsibilities: After an employee utilizes an unpaid leave category (except for FMLA leave) for an entire pay period, the employee will not earn vacation or sick hours for the month. Health insurance coverage will continue during the leave if employees submit their monthly premium payments in a timely manner, subject to the terms of the plan documents.

SECTION 5.6 BENEFITS

A. SUMMARY: Subject to any limitations imposed by law, the County provides regular full-time employees with a comprehensive insurance benefits package designed to assist employees and their legal dependents in the event of illness, injury, retirement, or unemployment. The sections below cover the basics of these benefits. Detailed plan documents explain the eligibility and receipt of these benefits. If the sections below are inconsistent with the current plan documents, the detailed plan documents govern.

B. HEALTH INSURANCE: All full-time employees of the County and standing members of Calloway County Fiscal Court, who contribute to the State Retirement System are provided with an optional health insurance plan. The County and employees pay an appropriate share of the cost of an individual policy, as determined annually by the Fiscal Court. The cost associated with this participation shall be made by payroll deduction and any premiums due shall be paid by the employee.

- 1. Eligibility: Eligibility for benefits will be the first day of the second calendar month
- 2. following the hire date. Example: if employment begins anytime in August, Employees are eligible for coverage October 1.
- 3. Supplemental Plans: Additional supplemental plans are offered and may be purchased at the expense of the employee.
- 4. Change Restrictions: During plan year, employees who are receiving pre-tax deductions, will not be able to change or cancel benefits unless a “change in family status” occurs (as defined under the Internal Revenue Code), and the change is caused by and consistent with the change in family status. Examples: Marriage, divorce, birth/adoption of child, death of spouse or child, loss of job.

C. LIFE INSURANCE: The County provides full-time employees with a \$20,000 group life insurance policy.

- 1. Electives: Employees may elect to purchase additional life insurance coverage for yourself, spouse or dependent at a cost determined annually by the representing agency.

2. Review: Rates and amounts will be reviewed annually and are subject to change.

D. WORKERS' COMPENSATION INSURANCE: The County complies with state laws requiring workers' compensation insurance coverage. In the event you have an injury or illness covered by workers' compensation insurance, the number of benefits payable and the duration of payment depend upon the nature of your injury or illness. If you are injured or become ill on the job, you must immediately report this injury or illness to your supervisor. Failure to report may affect benefits. Failure to follow County procedures may affect the ability of the employee to receive workers' compensation benefits and may subject the employee to discipline.

1. **AFFECT ON BENEFITS:** Employees with work related injuries and workers' compensation are approved to receive benefits. Employees who are on approved workers' compensation leave as a result of injury or illness shall continue to receive sick and vacation time; health, and life insurance for a period not to exceed six (6) months. Employees must make arrangements to pay their share of their health insurance premiums.

E. UNEMPLOYMENT INSURANCE: Unemployment insurance is funded entirely by the County. The purpose of this insurance is to provide income to employees who have lost their job for any of a number of reasons. Unemployment compensation is not automatic, nor is the payment of benefits a decision made by the County. The right to collect benefits must be proven by the separated employee. Information concerning eligibility for benefits is available from the state unemployment office at <https://uiclaimsportal.ky.gov/s/> or via telephone (877)369-5984.

F. EMPLOYEE ASSISTANCE PROGRAM (EAP): The Employee Assistance Program (EAP) is a free, value-added service provided for employees and family members of the Calloway County Fiscal Court. It provides confidential, professional, short-term counseling, assessment, education, referral, and follow-up for a variety of areas. It is designed to help County employees prevent or resolve personal, family and workplace problems affecting that employee's well-being and job performance. Examples include but are not limited to: marital, family, alcohol/drug, anger, stress, depression, grief & loss, parenting, anxiety, legal and financial. Use of EAP is voluntary and administered by an independent group. All calls and appointments will be kept in strictest confidence.

1. **Intervention and/or Short-Term Counseling:** The EAP will provide intervention and/or short-term counseling that is primarily problem-solving in nature, up to but not more than eight (8) sessions.

2. **Program Administration:** The County reserves the right to eliminate, amend, and/or change the EAP provider at any time.

G. COUNTY EMPLOYEES' RETIREMENT SYSTEM (CERS): Full-time employees participate in Kentucky Retirement Systems' County Employees Retirement System (CERS). Plan participants make pre-tax contributions to the CERS pension fund and the County contributes revenues to the fund.

1. More Information: Contribution rates are established by the Kentucky Retirement Systems and may be subject to change. For further details, contact the Human Resources Department or the County Employees Retirement System.
 - a. Link: <https://www.kyret.ky.gov/Pages/index.aspx>
 - b. Contact: by phone at 502-696-8800 or 1-800-928-4646 or by email at kppa.mail@kyret.ky.gov

H. CONSOLIDATED OMNIBUS BUDGET RECONCILIATION ACT (COBRA): The Cobra Act requires employers sponsoring group health plans to offer employees and certain eligible dependents the opportunity to purchase a temporary extension of health coverage, at group rates, in certain instances when coverage under the plan would otherwise end. The County will follow its obligations under this federal legislation.

SECTION 5.7 WORKPLACE ETHICS

- A. SUMMARY:** The County has a duty to provide its citizens with standards by which they may determine whether public duties are being faithfully performed, and to make its officers and employees aware of the standards which the citizenry rightfully expects them to comply with while conducting their public duties. Accordingly, all County employees are required to comply with the most current version of the Code of Ethics. Please consult this document for specific rules concerning conflicts of interest and other prohibited conduct. The County's Code of Ethics is available for inspection online at the County's website, or in hard copy form at the County Attorney's office.
- B. CONFLICT OF INTEREST:** The vitality and stability of the government of this County depend upon the public's confidence in the integrity of its elected and appointed officers and employees. Whenever the public perceives a conflict between the private interests and public duties of a county officer or employee, that confidence is imperiled.
1. Kentucky Revised Statutes (KRS): There also are various statutes that address conflicts of interest for County employees. Those statutes include, but are not necessarily limited to, KRS 61.080, KRS 45A.335, KRS 61.300, and KRS 61.310. Employees are encouraged to become familiar with statutes that apply to their position well before a potential conflict arises.
- C. EMPLOYMENT OF FAMILY/NEPOTISM:** The County does not expressly prohibit the employment of relatives within County government; so long as one does not directly or indirectly supervise the work of the other.
1. Definition of Relatives: Relatives may be defined as husband/wife, mother/daughter or son, father/son or daughter, brother/sister. Stepfamily relation is also included in the ones named.
- D. OUTSIDE EMPLOYMENT:** The County depends on you to devote your full attention and effort to the duties to which you have been assigned. Employment with the County is your primary responsibility. Under no circumstance shall an employee have other employment which conflicts with the policies, objectives, and operations of the County. Outside employment will not be considered an excuse for poor performance, absenteeism,

tardiness, or refusal to work overtime. Should the outside employment cause or contribute to any of these situations, it must be discontinued. Employees are prohibited from giving the appearance that they are engaged in County business or acting on behalf of the County while engaged in outside employment. In addition, an employee shall not become indebted to a second employer whose interest might be in conflict with those of the County.

E. POLITICAL ACTIVITIES: Any employee while in the service of the County is not required to contribute to any political fund or be denied the rights of political activity. No employee of the County shall engage in political activity during his/her assigned duty hours or while in uniform. This section does not apply to Elected Officials.

1. **Freedoms:** Employees are free to vote as they choose, express opinions on political subjects and candidates, and participate in campaigns, provided such participation is not prohibited by this policy or the County's Code of Ethics or otherwise in contravention to the obligations of one's employment with the County.

F. CONFIDENTIAL INFORMATION: It is the policy of the County that all information concerning the County's official business, including personnel matters, is confidential unless it is officially released, or disclosure is required by law. Unauthorized disclosure of such information is a basis for disciplinary action up to and including termination.

G. MEDICAL CANNABIS AND PROHIBITION OF USE: In accordance with Kentucky Revised Statute (KRS) 218B.040, Calloway County acknowledges the statutes and regulations regarding medical cannabis. However, it is important to note that despite state regulations, the use of cannabis, including medical cannabis, remains prohibited for all county employees.

1. **Disciplinary Action:** Violations of this policy will result in disciplinary action, up to and including termination of employment, in accordance with the county's Progressive Discipline/Uniform Disciplinary Code outlined in Section 5.10.

SECTION 5.8 GENERAL INFORMATION

A. SUMMARY: Images presented, and statements made by all employees of the County can affect the entire organization; therefore, employees are expected to be friendly, courteous, appropriately dressed at all times and acting in accordance with the County Code of Ethics, Administrative Code, and Drug Free Workplace Policy. As a local government agency all employees are expected to display an attitude of public service when performing duties.

B. DRESS CODE: The Calloway County Fiscal Court requires all employees to adhere to dress code standards that exude a professional standard as well as ensure safety and OSHA compliance. Calloway County employees are expected to be neat, clean, and well-groomed while performing professional duties. The standard applies to all county employees including full-time, part-time, seasonal, temporary, and interns.

1. **Non-Uniformed Personnel:** All non-uniform personnel are expected to wear standard business professional or casual attire that is consistent with standards for a professional environment.

2. Uniformed Personnel: All uniformed personnel are expected to wear the uniforms set forth for the department. Uniforms are expected to fit properly, be clean and well maintained at all times.

C. SMOKING POLICY: The Calloway County Fiscal Court requires employees to comply with all local ordinances. The City of Murray has a Smoke-Free Ordinance No. 2018-1757, which prohibits smoking in all enclosed public spaces and places of employment within the City Limits. In addition, smoking will not be allowed in parking lots and areas within 15 feet of entrances in the city. In order to be consistent among all departments, Calloway County employees shall not smoke in any County building.

1. Smoking includes cigarettes, cigars, and e-cigs/vapes.
2. In addition, employees may only smoke in designated smoking areas as identified by their department heads with approval by the County Judge.

D. COUNTY VEHICLES: County owned vehicles are for the benefit of the county, not the employee and it is a privilege, not a right to drive a county owned vehicle. County owned vehicles are to be used exclusively for county related business. County owned vehicles are to be left at the appropriate department at the end of each shift/day unless traveling over night to trainings or related county business.

1. Overnight Use: No county owned vehicle will be taken home over night, except for the following county vehicles:
 - a. Clearly marked law enforcement and emergency vehicles.
 - b. Ambulances and hearses.
 - c. Unmarked law enforcement officer vehicles, if officially authorized.
 - d. Road Department vehicle with Fiscal Court approval.
 - e. Extenuating circumstances may occur that will require a request made in writing and approved by the Judge Executive.
2. Personal Use: County owned vehicles are to be used exclusively for county related business. No county owned vehicle shall be used for personal trips or route variations for personal purposes.
 - a. County owned vehicles shall not be used to transport or store personal equipment or property.
3. Law Abiding: Employees shall operate vehicles and equipment in a safe and prudent manner, and shall obey all federal, state, and local laws and regulations.
4. Good Standing: Employees driving a county vehicle must be in good standing with the Department of Transportation and further maintain a valid operator's license.
 - a. The County reserves the right to check any employee's motor vehicle report where that employee drives a county vehicle as a component of their employment.
5. Accident: Anyone driving a county vehicle will be responsible for that vehicle in case of an accident. All accidents, traffic violations, theft or damage involving a county vehicle

must be reported immediately to the department supervisor and to the individual in the Judge's office responsible for insurance regardless of the extent of damage or lack of injuries. Such reports must be made as soon as possible but no later than 24 hours after the incident. Employees are expected to cooperate fully with authorities in the event of an accident. However, employees should make no voluntary statement other than in reply to questions of investigating officers.

- a. Post-Accident Drug Testing: Alcohol and drug testing shall be required, and refusal will result in automatic dismissal of the county employee.
 - b. Monetary Responsibilities: Any employee who is involved in an accident, the first "could have been prevented" accident will be on the County to pay the deductible and/or damage. If that employee has another "could have been prevented" accident within 5 years, the employee will pay the deductible and/or damage.
6. Under the Influence: Any employee found to be under the influence of alcoholic beverages or unauthorized drugs or controlled substances while operating a county vehicle or equipment will be subject to dismissal from employment.
 7. Passengers: No county employee shall allow a "passenger" to ride in a county vehicle unless that passenger is a county employee, or the passenger represents County Government.
 - a. Should an emergency exist, or extraordinary circumstances exist, it shall be permissible for a passenger to ride in a county vehicle.
 - b. The county employee allowing the passenger to ride in the county vehicle shall report the occurrence to his/her supervisor immediately.

SECTION 5.9 INTERNET, EMAIL, CELL PHONE, AND SOCIAL MEDIA POLICY

A. INTERNET USAGE: The County-provided internet, email access, and social media accounts are intended for business purposes only. The County encourages the use of these platforms because they make communication more efficient and effective. However, it is crucial to recognize that these resources are County property, and their primary purpose is to facilitate County business. Every staff member has a responsibility to maintain and enhance the County's public image and to use County email, internet, and social media accounts in a productive and responsible manner.

1. Compliance: To ensure compliance with Kentucky Revised Statutes (KRS) 61.870 to 61.884 and to uphold principles of free speech while adhering to County standards, the following guidelines have been established for using these platforms. Any improper use of the internet, email, or social media is not acceptable and will result in appropriate disciplinary action, up to and including dismissal.
2. Unacceptable uses of the Internet, County Email, and Social Media:
 - a. The County's internet, email, and social media access may not be used for transmitting, retrieving, or storage of any communications of a discriminatory or harassing nature or materials that are obscene or X-rated.

- b. Harassment of any kind is prohibited. No messages containing derogatory or inflammatory remarks about race, age, disability, religion, national origin, physical attributes, or sexual preference shall be transmitted.
- c. No abusive, profane, or offensive language is allowed to be transmitted through the County's email, internet, or social media platforms.
- d. Electronic media may not be used for any purpose which is illegal, deceptive, against County policy, or contrary to the County's best interest.
- e. Solicitation of non-county email, internet, or social media for personal gain is prohibited.
- f. Employees are prohibited from engaging in chat room interactions unless sanctioned by government agencies.
- g. Excessive personal internet or social media use is prohibited, as is any use that interferes with an employee's work.

B. COMMUNICATIONS: Each employee is personally responsible for the content of all text, audio, images, and posts that they place or sent over the County's email, internet, or social media systems. No email, internet, or social media communications may be sent which hide the identity of the sender or misrepresent the sender as someone else or someone from another entity. All messages communicated on the County's email, internet, or social media systems should clearly identify the employee as the sender.

1. **Confidentiality:** All communications sent by employees via the County's email, internet, or social media systems must comply with this and other County policies and may not disclose any confidential or proprietary information.
2. **Personal Use:** Personal use of employee email, internet, or social media accounts is permissible as long as it does not conflict with any other policies of the County or the department head. Personal use of email, internet, or social media is done at the user's risk, and the user should have no expectation of privacy due to open records request laws.
3. **Conducting County Business on Private Accounts:** Employees are reminded that conducting County business on private accounts, including but not limited to personal email and phones, is strongly discouraged. If employees choose to utilize personal accounts, they will be subject to KRS 61.870 to 61.884, which allows for the inspection of public records, including communications related to public business.
4. **Social Media Posts:** All social media posts related to County business must be made by the Department Head or a designated County Employee to ensure consistency, accuracy, and compliance with County policies.

C. CELL PHONE USAGE: The use of County-provided cell phones is intended for business purposes only. Employees are expected to use these devices in a manner that is professional and does not interfere with their work duties.

1. **Personal Use:** Personal use of County-provided cell phones should be kept to a minimum and must not interfere with work responsibilities. Personal use of County cell phones is done at the user's risk, and the user should have no expectation of privacy due to open records request laws.

2. **Prohibited Uses:** County-provided cell phones may not be used for any purpose which is illegal, deceptive, or against County policy. This includes, but is not limited to, transmitting, or receiving any discriminatory, harassing, or obscene content, or using the phone for personal gain.
3. **Confidentiality:** All communications made via County-provided cell phones must comply with County policies and must not disclose any confidential or proprietary information.
4. **Conducting County Business on Private Cell Phones:** Employees are reminded that conducting County business on private cell phones is strongly discouraged. If employees choose to utilize personal phones for County business, they will be subject to KRS 61.870 to 61.884, which allows for the inspection of public records, including communications related to public business.

SECTION 5.10 PROGRESSIVE DISCIPLINE/UNIFORM DISCIPLINARY CODE

- A. INTRODUCTION:** The policy of the county is to be fair and consistent in the administration of its rules, regulations, and procedures, including this disciplinary code. When problems arise, emphasis is on improvement and/or correction rather than punishment. However, willful, continued, or inexcusable breaches of employment rules, regulations and procedures must be dealt with firmly in accordance with a uniform policy which applies to all employees.
1. Standard ranges of penalties and uniform administration of actions for various types of work deficiencies and undesirable conduct for all employees are outlined below. Each Executive Authority shall ensure that the policy is being followed; each supervisor shall understand and follow the policy as written; each employee shall be responsible for understanding this policy.
 2. "Ranges" are recommended as penalties for many of the offenses or deficiencies. This is necessary due to the degrees of severity for any offense or deficiency (for example, absence without approved leave could vary from being late to work by five minutes to being absent for days without informing anyone of the reason for the absence). Every effort shall be made to ensure that the policy is administered fairly within all departments to the extent that similarities exist within separate departments; however, it is the responsibility of the department to administer the policy fairly and consistently for all employees within the department.
 3. For disciplinary reasons, all constitutional officers shall comply with the Administrative Code unless authorized otherwise by Kentucky Revised Statutes.
 4. In the event that any part or parts of this policy is in conflict with the Kentucky Revised Statutes, the statutes shall supersede only the part(s) of this policy that are in conflict.
- B. GUIDELINES:** Uniform labels shall be applied to levels of discipline to allow uniformity and fairness.
1. **Improvement Plan:** An Improvement Plan is a structured approach implemented prior to any formal disciplinary action. The goal of the Improvement Plan is to provide the

employee with clear expectations and support to address specific performance or conduct issues.

2. Verbal Warning (Reprimand): In the case of minor job deficiencies and/or undesirable conduct, the immediate supervisor or Executive Authority may administer a verbal reprimand and explain the actions necessary to correct the problem as soon as possible after knowledge of the minor job deficiency or undesirable conduct. The date of the reprimand and a detailed description for the reason thereof, along with any comments the employee may have made, shall be noted, and placed in the employee's personnel file at the Human Resources Office. The notice shall be retained for twenty-four months, after which time it will be destroyed if no further action is taken.
 - a. For the purpose of this policy, job deficiencies and/or undesirable conduct which have "verbal warning" as the recommended corrective action for the first offense shall be defined as "minor" job deficiencies and/or undesirable conduct.
3. Written Reprimand: In the case of a second minor offense or job deficiency, or a more severe first-time offense or job deficiency, the immediate supervisor, Department Director or Executive Authority may prepare a report setting forth the exact form and nature of the offense or job deficiency; the report shall include any previous verbal warnings, written reprimands or disciplinary actions during the previous twenty-four months.
 - a. If a written reprimand is issued, the immediate supervisor, Department Director or Executive Authority shall explain the written reprimand to the employee, obtain the employee's signature on the written reprimand, and place the reprimand in the employee's personnel file in the Human Resources Office; such reprimand shall be retained for twenty-four months, after which time it will be destroyed if no further action is taken.
4. Suspension: This disciplinary action is administered as a result of severe infraction of rules or standards, or for excessive violations after verbal warnings, written reprimands, insufficient effort to improve job performance, or short-term loss of required licenses and/or certifications for the job class.
 - a. Unless otherwise authorized by Kentucky Revised Statutes, suspensions or dismissals require approval of the Fiscal Court.
 - b. The suspension of an employee from duty shall be made as follows:
 1. The Executive Authority may suspend an employee with or without pay.
 2. The immediate supervisor or Department Director may suspend an employee with pay until the Executive Authority acts on the suspension.
 - c. Employees suspended without pay shall be notified of the suspension within five working days after the time of suspension. The notice shall include the duration of the suspension (if known), and a copy of the notice shall be placed in the employee's personnel file in the Human Resources Office; such notice shall be retained for twenty-four months, after which time it will be destroyed if no further action is taken.

- d. Employees suspended without pay for a period of thirty calendar days or longer shall forfeit fringe benefits, including accrual of sick and vacation leave and the county's contribution to any insurance benefits, during the suspension.
5. Dismissal: An employee may be dismissed when an offense or job deficiency is continually repeated, or misconduct or job deficiencies are serious enough on the first offense. Unless otherwise authorized by Kentucky Revised Statutes, final and formal discharge of an employee shall be the responsibility of the Fiscal Court upon recommendation of the Executive Authority.

C. GRIEVANCE PROCEDURE: Unless an employee or employee group is procedurally covered otherwise by state or federal law, any employee of the county who occupies an established full-time or part-time position and who feels aggrieved by an act or decision by the administration, supervisory personnel or other employees shall have the right to process the grievance in accordance with the following procedure:

1. Aggrieved Employee: The aggrieved employee shall present the grievance to the immediate supervisor within three working days of its occurrence or knowledge of its occurrence (except that grievances may be submitted directly to the Executive Authority if the grievance is against the immediate supervisor). The grievance and all subsequent appeals shall be in writing and shall set forth the reasons and grounds for the grievance with a statement of relief sought. The immediate supervisor shall attempt to adjust the matter and shall respond to the employee in writing or by other means within three working days.
2. Form: The Grievance Procedure Form shall be used. Both the grievance and proposed solution to grievance sections shall be specific as to facts, names, facility involved, dates, places, etc. State the specific law, policy, rule, regulation, procedure, condition of employment, past practice or agreement that was involved and how it was violated.
3. Harassment or Discrimination: Any employee who feels that he/she has been subjected to harassment or discrimination shall not file a grievance but shall file a complaint directly with his/her Executive Authority or the County Attorney.
4. Investigation: An investigation may be conducted at any level of grievance by the authorized recipient of the grievance.
5. Executive Authority: If the grievance remains unresolved, it may be presented by the aggrieved employee to the employee's Executive Authority within three working days after receiving the immediate supervisor's response. The Executive Authority may agree with the immediate supervisor and return the grievance without further action or may conduct a more extensive investigation into the grievance; the Executive Authority shall respond to the employee in writing or other means within thirty working days after receiving the grievance.
6. Fiscal Court: If the grievance remains unresolved, it may be presented by the aggrieved employee to the Fiscal Court within three working days after receiving the Executive Authority's response. The Fiscal Court may (1) agree with the Executive Authority and return the grievance without further action, (2) conduct a more extensive investigation

into the grievance, and/or (3) schedule a hearing. The decision of the Fiscal Court shall be final.

7. Hearing: If a hearing is held at any level, either the county or the aggrieved employee may be represented by Counsel and may request witnesses to appear at the hearing.

CHAPTER 6 COUNTY PROPERTY and PROPERTY INVENTORY

SECTION 6.1 CLAIMS AND PROPERTY

- A. CLAIMS PROCESS:** The County Judge shall account for all claims against the County.
1. All claims for payment from the County shall be filed in writing with the County Judge.
 2. Each claim shall be recorded by date, receipt and purchase order number and presented to the Fiscal Court at its next meeting.
 3. Each order of Fiscal Court approving a claim shall designate the budget fund and classification from which the claim will be paid, and each warrant shall specify the budget fund and classification.
- B. PREAPPROVED:** The payroll for County officials and regular County employees and recurring utility expenses are hereby preapproved.
1. Other recurring expenses may be preapproved by the Fiscal Court.
- C. SIGNATURES:** The depositor of Calloway County funds shall not honor any expenditure on the County unless it is signed by both the County Judge and the County Treasurer. In the absence of the County Judge, the Deputy County Judge may sign.
- D. DAILY DEPOSITS:** All offices collecting county or state monies shall utilize a daily deposit in an interest drawing account until settlement is made to the Commonwealth and County. County fees shall be remitted to the County no later than the 10th day of each month following the month of collection unless a written waiver is given by Fiscal Court.
- E. COUNTY PROPERTY:** No official or employee shall use any County property for non-County business, nor shall they permit the use of any publicly owned or supported property for personal convenience or private advantage, unless such use has been formally authorized by a resolution of Fiscal Court.
1. **Definition:** County property includes any item that has been purchased, inventoried, donated or acquired due to business related activities by or to the Calloway County Fiscal Court. This includes, but is not limited to cell phones, laptops, tablets, keys, vehicles, office supplies, furniture, tools, equipment, materials, gasoline, etc.
 - a. The only means by which an employee may take possession of county property is through purchase at a county surplus auction.
 2. **Employee Separation:** In the event that an employee separates from Calloway County Fiscal Court, all County property must be returned within 2 business days after their last day of employment. All County property must be returned to the employee's supervisor or the Human Resource Department.
 3. **Damage or Destruction:** Any County employee discovered to be causing damage to, or destruction of County property or equipment, either through willfulness or negligence,

shall be required to pay all costs of repairs or replacement of the property and may be subject to discipline, up to and including dismissal.

4. Responsibility: Each office holder or supervisor is responsible for the equipment that is used in their office. An inventory list of each office's equipment that costs more than \$500.00 is to be kept current. A copy of the list shall be sent to the County Judge's office annually or as any changes are made. The inventory should include such information as the Date Purchased, Cost, item Description – Make, Model, Year, Model Number or Vin Number and Location/ Department where item will be used.
 - a. When items are removed from inventory, a record should be kept of the Disposition Reason and Disposition Date.
5. Accident: Employees must report any accident, theft or damage involving county property to the department supervisor and to the individual in the Judge's office responsible for insurance, regardless of the extent of damage or lack of injuries. Such reports must be made as soon as possible but no later than 24 hours after the incident. Employees are expected to cooperate fully with authorities in the event of an accident. However, employees should make no voluntary statement other than in reply to questions of investigating officers.

CHAPTER 7 CONTRACTS VENDORS AND PURCHASES

SECTION 7.1 AUTHORIZATION OF COUNTY CONTRACTS

- A. **AUTHORIZATION:** Every contract, change or amendment thereto, shall be authorized or approved by the Fiscal Court before being executed by the County Judge, except for small purchases. The County Attorney shall review every contract of the County, as to form and legality, except for contracts for small purchases.

SECTION 7.2 SELECTION OF VENDORS AND CONTRACTORS

- A. **PURPOSE:** The agency, department or person requiring supplies, services or construction shall submit to the County Judge a request containing specifications and quantities desired.
1. The County Judge shall determine the need for each item requested, the approximate cost and whether or not the expenditure is provided for in the budget.
- B. **COMPETITIVE BIDDING:** In accordance with KRS 424.260, any expenditure or contract for materials, supplies (except perishable meat, fish, and vegetables), equipment, or for contractual services other than professional, involving an expenditure of more than the amount required by Kentucky State Law shall be subject to competitive bidding.
1. The County Judge shall advertise to the public in the County at least once, not less than seven nor more than twenty-one days before bid opening. The advertisement shall include the time and place where the specifications may be obtained. If the durability of the product, the quality of service or other factors is to be considered in bid selection, such factors shall be stated in the advertisement.
 2. The County Judge shall open all bids publicly at the time and place stated in the advertisements and shall select the lowest and/or best bid by qualified bidder. If the lowest bid is not selected, the reasons for the selection shall be stated in writing.
 3. The County Judge shall submit the bid selected to the Fiscal Court for approval.
 4. The County Judge shall sign the contract if one is required.
- C. **PROCEDURES FOR DETERMINATION OF QUALIFICATION OF BIDDERS:** The County Judge may require all bidders to provide sufficient information to determine their qualification to provide the services or product that is the subject of the competitive bidding.
1. Contractors who have demonstrated, by past performance, the ability to perform satisfactorily in accordance with the contracts on a timely basis and have shown a sound financial structure may be determined to be qualified bidders without additional documentation otherwise required of other potential bidders.
- D. **PROCEDURES PREREQUISITE TO USE OF NEGOTIATED PROCESS:** The negotiated process may be used instead of advertisement for bids if the amount exceeds the amount required by Kentucky State Law in the following circumstances:

1. An emergency exists;
 2. Bids exceed available funds; or
 3. The contract is for professional services.
- E. EMERGENCY:** Before an emergency is declared the County Judge shall determine whether or not the delay in obtaining bids will result in danger to health, safety, or property.
1. The County Judge shall certify the existence of any emergency and file a copy of such certificate with the County Treasurer.
- F. IN EXCESS OF FUNDS:** In the event all bids submitted are in excess of funds available, the County Judge shall prepare a written determination that there are no additional funds available as to permit an award to the responsible bidder with the lowest and best bid and delay in advertising for additional bids is not in the best interest of the County.
- G. PROCEDURES FOR NEGOTIATED PROCESS:** When the prerequisites have been met for use of the negotiated process, the County Judge shall proceed to negotiate with one or more suppliers in order to obtain the most advantageous terms for the County.
1. The County Judge shall prepare a record of all negotiated contracts, showing the items and quantities acquired, name of suppliers, cost, and date of contract.
 2. Professional services shall be negotiated with such people as are properly licensed to perform such services.
 3. Where more than one bid was received and all were in excess of the amount available, the lowest three bidders shall be notified that the County desires to negotiate a contract for a lesser amount based on revised quantities or specifications and fix a time limit for submission of proposals.
 4. The County Judge shall examine the proposals received and shall negotiate with the suppliers for the terms most advantageous to the County.
 5. The best negotiated proposal shall be submitted to the Fiscal Court for approval and award.
- H. PURCHASE PROCEDURES:** All expenditures of less than the amount required by Kentucky State Law shall be considered a "small purchase," which under ordinary circumstances should not be subject to competitive bidding so long as said expenditure is provided for in the budget unless the Fiscal Court shall direct otherwise, according to KRS 45A.385.
1. The County Judge determines the need for any item requested and whether or not the contract is for less than the amount required by Kentucky State Law and the expenditure is provided for in the budget.
 2. Any purchase exceeding the amount required by Kentucky State Law, the County Judge or his designee shall obtain three competitive bid quotes from prospective suppliers or

vendors prior to the purchase and then select the purchase most advantageous to the County, in the judgment and discretion of the County Judge.

- I. **HOLD HARMLESS CLAUSE:** All contracts executed on behalf of the County concerning the purchase of services or products may contain a “hold harmless clause,” whereby the vendor, provider of services, or seller agrees to hold the County harmless from any liability concerning the use of their product or the receipt of their service.

SECTION 7.3 SMALL PURCHASE PROCEDURES

- A. **PERMISSION:** All department heads have permission to purchase materials or supplies for \$500.00 or less without obtaining quotes.
- B. **QUOTES:** All department heads may purchase materials or supplies for more than \$500.00 but less than \$2,500.00 provided they obtain three or more quotes for the particular items.
 - 1. These quotes must be written quotes submitted by vendors or quotes obtained by telephone, email, or online purchasing.
 - 2. If the lowest quote is not selected, a written explanation must be provided.
 - 3. If there are fewer than three vendors who supply the particular product the department head should notify the County Judge of this situation.
 - 4. Purchases less than \$2,500.00 for which a price is set by the state or county pricing contact shall not require separate quotes.
- C. **PURCHASE ORDER:** Purchases over \$2,500.00 must first be verified and approved by the issuance of a purchase order.
 - 1. The request will state the purpose of the goods, the preferred vendor, need date, prices from at least three vendors, etc.
 - 2. The County Judge or his/her designee will compare the request with the particular department's budget plan to determine if funds have been correctly allocated.
 - 3. If the request is approved, a purchase order number will be issued for the purchase.
- D. **DEADLINE:** The deadline for purchase orders to be turned in for payment is five (5) business days preceding the following Fiscal Court meeting.
- E. **SOLE PROCUREMENT:** A situation created due to the inability to obtain competition. Sole source procurement may occur when only one vendor or supplier possesses the unique ability or capability to meet the particular requirements of the solicitation.
 - 1. The purchasing authority may require a justification from the requesting department explaining why this is the only source for the requirement.

2. If sole source procurement is required, the department head must submit a written explanation about why no other would be suitable to meet its needs.
3. The County Judge shall make the final determination that the procurement is a sole source.

F. SINGLE SOURCE PROCUREMENT: A procurement decision whereby purchases are directed to one source because of standardization, warranty, or other factors, even though other competitive sources may be available.

G. EMERGENCY: In the case of an emergency the County Judge shall have the authority to approve small purchases notwithstanding the provisions of this section.

SECTION 7.4 COUNTY CREDIT CARD POLICY

A. PURCHASES: Purchases for the County under the allowable KRS Procurement amount, should only be done with the use of an authorized Fiscal Court Credit Card.

1. Charge accounts: If an existing charge account with a vendor has been established, the charge account shall be utilized for purchases and not the county credit card.

B. AUTHORIZATION: Each department must get verification of available funds through the Treasurer's office prior to use of any County credit card.

C. EMPLOYEE AGREEMENT: The employee must sign an agreement acknowledging he or she has read and understands the policies and procedures governing the use of the County credit card.

D. RESTRICTIONS: The use of the County credit card is subject to the following restrictions:

1. No personal or private expenditure shall be charged to the County.
2. No regular operating expense (e.g., monthly telephone bills, internet agreement, etc.) shall be charged to the County credit card.
3. Each expense charged must be accompanied by the actual receipt and brief explanation. For example, if the expense is for supplies, note on the receipt what it was for and the department to which it was supplied.
4. Each expense will also have a purchase order for that expenditure.
5. An expense in excess of \$500 should be pre-approved by the Fiscal Court.
6. Capital purchases should never be charged to the credit card.
7. Travel expenses such as airfare, hotel rooms and conference registrations should be scheduled through the County Finance Officer, who will reserve a Purchase Order upon confirmation.

- a. In the case a personal credit card is used for such expenses, the conference and travel expense should be pre-approved by the appropriate authority or reimbursement will not be granted.
- 8. Documentation of each expense shall be submitted as soon as possible, and no later than five days from the date of purchase.
- 9. No cash advances will be permitted on the County credit card.
- 10. Any credit card issued to an employee will have a maximum monthly balance of \$5,000.
- E. CARD PAYMENTS:** Payments, late charges, and interest related to unauthorized or undocumented charges shall be the responsibility of the employee.
- F. MISUSE:** Violations of the County's credit card policy may result in disciplinary action, including termination of employment or prosecution and removal and cancellation of the employees issued card.
- G. PERSONAL REIMBURSEMENT:** Requests for reimbursements to county employees using personal credit/debit cards for county purchases will ONLY be made if:
 - 1. An attempt to use the county card/approval was not available.
 - 2. A receipt with a full description of purchase is delivered.
 - 3. Sales tax is not reimbursed.

SECTION 7.5 DISPOSITION OF COUNTY SURPLUS PROPERTY

- A. REAL PROPERTY:** In the event the County Judge determines that the County retains surplus real property and that it will be in the best interest of the County to dispose of said real property, the County Judge shall make a written statement containing:
 - 1. The real or personal property.
 - 2. Its intended use at the time of acquisition.
 - 3. The reasons why it is in the public interest to dispose of it.
 - 4. The method of disposition to be used.
- B. TRANSFER OF PROPERTY:**
 - 1. The property may be transferred via the following method:
 - a. Transferred, with or without compensation, to another governmental agency;
 - b. Sold at public auction following publication of the auction in accordance with KRS 424.130(1)(b);

- c. Sold by electronic auction following publication of the auction, including the uniform resource link (URL) for the site of the electronic auction, in accordance with KRS 424.130(1)(b); or
 - d. Sold by sealed bids.
2. The aforementioned statement shall be submitted to the Fiscal Court for their action.
 3. In the event there are no bids for the property, the property shall be sold by the County Judge in the best interests of the County. No County real property shall be sold on a negotiated basis for less than the appraised value, according to KRS 67.080(2).

C. TANGIBLE PROPERTY:

1. The County office, agency, or person to which responsibility has been assigned by the County Judge to use and take care of a particular tangible item or items will notify the County Judge that a particular item is no longer needed or serviceable. The County Judge shall inquire of other County offices to determine if they have need of, or want to use, the item.
2. If no use for the property can be found, the property shall be disposed of in the same manner as real property except that no appraisal is required.

D. ALL OTHER PROPERTY/MATERIAL OF VALUE: In addition to real and tangible property the County periodically processes waste and excess material of value, in addition to recyclable goods and materials collected in conjunction with its solid waste management program. All waste and excess material of value (e.g., scrap metal, used car parts, material dropped off by the public, etc.) is the property of the County.

1. All departments receiving and/or processing waste and excess material shall ensure that the County receives the highest possible return for redemption of these items and all proceeds are returned to the Treasurer's Office.
2. All proceeds for waste and excess material should be collected via check made payable to the Calloway County Fiscal Court.
3. No county employee shall be allowed to seize or purchase such property for personal gain.

CHAPTER 8 BOARDS AND COMMISSIONS

SECTION 8.1 BOARDS AND COMMISSIONS

- A. BUDGET RECORDS:** All agencies which receive county funding shall file a copy of the agency's annual budget with the County Judge. It shall also file a copy of each audit required by law with the County Judge and the Calloway County Clerk.
1. All agencies which receive county funding shall maintain a financial record of the agency activities containing the amount budgeted for the year, the amount expended to date and the balance available.
- B. REGULAR MEETINGS:** All meetings at which County business is discussed by an agency which receives County funds, or any action taken by said agency, shall be open to the public, unless exempt by KRS 61.810.
1. A majority of the members of the agency board shall constitute a quorum for the conduct of official business.
 2. A record of all motions on official actions taken by the agency shall be kept and made available to the County Judge upon his request.

CHAPTER 9 SPECIAL DISTRICTS

SECTION 9.1 SPECIAL DISTRICTS AND PROCEDURES

- A. PROCEDURES FOR DISSEMINATION OF INFORMATION:** For the purpose of efficient and successful administration of County boards, districts, and commissions, the governing body of such board, district, or commission shall develop and present copies of minutes, audits, and fiscal year budgets to the County Judge for the purpose of sharing information.
- B. PROCEDURES FOR DISSOLUTION:** A plan of dissolution of any special district shall be made by the County Judge in writing and shall be submitted to the Fiscal Court for approval for any district which was created by the County.
1. The County Judge shall notify the chairperson of the special district which is the subject of the plan of dissolution. The notice shall be in writing and shall be provided at least five (5) days before the plan of dissolution is submitted to the Fiscal Court.
 2. All plans of dissolution shall contain:
 - a. A list of the reasons for dissolving the special district;
 - b. A list of the services and functions, if any, which are to be transferred to another special district, agency, board, commission, or department, and the names of which agency, board, etc., is to receive the transferred services or functions;
 - c. A list of all property owned or controlled by the special district and the method of disposing of such property;
 - d. A list of all creditors of the special district and a plan for satisfying all creditors.
 3. If a plan of dissolution transfers services or functions to another special district, the goals, and objectives (or charter of the recipient district) shall require amendment in order to provide the services transferred.
 4. The Fiscal Court shall vote on the plan of dissolution within sixty (60) days of its submission to the Fiscal Court by the County Judge, provided the Fiscal Court shall not vote on said plan of dissolution during the meeting in which it shall be submitted by the County Judge. If the plan is not disapproved within sixty (60) days, the plan shall become effective.
- C. REMOVAL AND APPEAL PROCESS:** Unless otherwise provided by state law, an appointed member of the governing body of a special district may be removed from office by the appointing authority after a hearing with notice, as required by KRS Chapter 424, for inefficiency, neglect of duty, malfeasance, or conflict of interest. The hearing shall be initiated and chaired by the appointing authority, who shall prepare a written statement setting forth the reason for the removal. The member to be removed shall be notified of the proposed removal and the reasons therefore by registered mail sent to their last known address at least ten (10) days prior to the hearing. The person to be removed may be represented by counsel at their own expense. The official record of the hearing shall be made by the appointing authority.

1. Where the removal of an appointed member of a special district governing body is by the County Judge pursuant to the preceding section, the removal shall be subject to approval by the Fiscal Court.
2. A member removed pursuant to this section may appeal within ten (10) days of the rendering of a decision or the approval of the Fiscal Court, if required, to the Circuit Court of the County of the appointing authority. The scope of the appeal shall be limited to whether the appointing authority or the Fiscal Court abused their discretion in removing the member.

D. SINGLE COUNTY SPECIAL DISTRICTS: The governing body of each special district shall annually prepare a budget and shall classify budget units in the same fashion as County budgets are classified pursuant to KRS 68.240 (2) through (5). The state local finance officer shall prepare standard budget forms for district use and shall furnish them to County Clerks for distribution to the district officers.

1. The governing body of each special district shall, at least once every four years, employ an independent certified public accountant, or contact with the auditor of public accounts to perform an audit of the funds in the district budget. The audit shall conform to standard audit programs for governmental accounting which are approved by the Auditor of Public Accounts or to other generally accepted accounting procedures as set forth by the Kentucky Board of Accountancy.
2. At least once every twelve (12) months, a district shall:
 - a. File with the County Clerk of each County with territory in the district, a certification showing the name of the district, a map or general description of its service area, the statutory authority under which it was created, and the names and addresses of the members of its governing body and County Judge.
 - b. File a copy of the district budget, financial statement if prepared, and audit when performed, with the County Judge.
3. Each district board shall elect from its membership a chairperson, secretary, and treasurer.
4. Vacancies shall be filled by the same appointing authority which is empowered to make the original appointment.

E. MULTICOUNTY SPECIAL DISTRICTS: Upon approval of the Fiscal Court, the County may join another County to form a special purpose district to fulfill any purpose which the County is authorized by state law to fulfill or may be authorized to fulfill in the future.

1. Before the County may participate in a multicounty special purpose district, the Fiscal Court shall determine that participation is feasible and necessary.
 - a. The determination shall be made only after a duly advertised public hearing has been held by the Fiscal Court.

2. The membership of the governing body of any new multicounty special districts are to be appointed among the counties in ratio to their population which each County having at least one (1) member on the board.

**CALLOWAY COUNTY FISCAL COURT
APPLICATION FOR LEAVE**



SECTION 1: EMPLOYEE INFORMATION

FIRST NAME	LAST NAME	DEPARTMENT
JOB TITLE		DATE OF REQUEST

SECTION 2: LEAVE REQUEST DETAILS

TIME (from)	DATE (from)	TIME (to)	DATE (to)	TOTAL HOURS

SECTION 3: LEAVE TYPE REQUESTED

LEAVE WITH PAY

<input type="checkbox"/> VACATION	
<input type="checkbox"/> SICK	
<input type="checkbox"/> OTHER (explain)	

LEAVE WITHOUT PAY

<input type="checkbox"/> MEDICAL (explain)	
<input type="checkbox"/> PERSONAL (explain)	
<input type="checkbox"/> OTHER (explain)	

SECTION 4: SIGNATURES

EMPLOYEE SIGNATURE	EMPLOYEE PRINTED NAME	
LEAVE STATUS:	SUPERVISOR SIGNATURE	DATE
<input type="checkbox"/> APPROVED <input type="checkbox"/> DENIED		
JUDGE EXECUTIVE SIGNATURE (if applicable)	DATE	

HR RECEIVED:

INITIALS: _____

DATE: _____

**CALLOWAY COUNTY ADMINISTRATIVE CODE
EMPLOYEE AGREEMENT**



I have received a copy of Calloway County Fiscal Court's, or I acknowledge that a digital version is available to me. The Administrative Code I received is the most recent with an adoption date of _____.

I understand that it is my obligation to read the Calloway County Administrative Code and agree to follow all policies and procedures that are set forth therein. I agree to abide by the standards outlined in the document for the duration of my employment with Calloway County Fiscal Court. I understand that this Administrative Code, and my signature below, does not constitute an employment contract and that the County is an at-will employer. This means employment can be terminated at any time, with or without cause and the County has the right to reassign, transfer, or otherwise alter or amend the terms and conditions of the employment relationship at any time, at the sole discretion of the County. Should I have any questions related to the Calloway County Administrative Code, it is my obligation to seek assistance from my supervisor, director, department head, and/or Human Resources. Furthermore, I understand that this policy may be amended at any time.

Employee Signature

Date

Employee Printed Name

Received Paper Copy (please initial) _____

OR

Digital Copy Preferred (please initial) _____

Digital Copy Available at (website): _____

Received by:

County Judge/Executive Signature or Designee

Date

Credit Card Use Signature Form
Agreement Associated with Improper Use of County Credit Cards



I hereby certify that I understand and agree to abide by the County's policy regarding use of the County issued credit cards as well as fleet cards and/or vendor charge accounts. A copy of the policy is in the Administrative Code, which I acknowledge receipt. I agree that I will not make any personal purchases in violation of that policy. If I violate the policy with a personal purchase, the County may deduct that amount from my next paycheck and if there is a balance remaining after such deduction, the County may deduct the balance from my future paychecks until the amount is repaid in full. I also understand that violations of the County's credit card policy may result in disciplinary action including termination, prosecution, and removal and cancellation of County issued card.

Employee Signature

Date

Employees Printed Name

County Representative

Date

**CALLOWAY COUNTY INTERNET, EMAIL, CELL PHONE, AND SOCIAL MEDIA POLICY
ACKNOWLEDGEMENT FORM**

I acknowledge that I have received, read, and understand the Calloway County Fiscal Court's Policy Guidelines regarding the use of internet, email, cell phones, and social media. These guidelines are part of the Calloway County Fiscal Court Administrative Code, which I have received. I recognize that the County's internet, email, and social media accounts, as well as County-provided cell phones, are to be used for conducting the County's business only. I understand that use of these services for private purposes is strongly discouraged and, if used, is subject to the Kentucky Revised Statutes (KRS) 61.870 to 61.884.

As an employee of Calloway County and a user of Calloway County's internet, email, and social media systems, as well as County-provided cell phones, I understand that this policy applies to me. It is my obligation to read the aforementioned document and agree to follow all policies and procedures that are set forth therein. I further agree to abide by the standards set in the document for the duration of my employment with Calloway County Fiscal Court.

I understand that I am not permitted to represent the County on any personal internet, email, or social media accounts. All official communications must be conducted through County-provided channels to ensure transparency, accountability, and compliance with County policies and Kentucky Revised Statutes (KRS) standards.

I acknowledge that if I believe a data breach has occurred, it is my responsibility to report it immediately to my supervisor or Human Resources.

Should I have any questions related to the Calloway County Administrative Code, it is my obligation to seek assistance from my supervisor, director, department head, and/or Human Resources. I am aware that violations of this County guideline on acceptable internet, email, cell phone, and social media use may subject me to disciplinary action, up to and including dismissal from employment. I further understand that my communications on the internet, email, and social media reflect on the Calloway County Fiscal Court. Furthermore, I understand that this policy can be amended at any time or that I may receive further direction from my superiors related to proper internet, email, cell phone, and social media usage.

Employee's Signature

Date

Employee's Printed Name

Received by:

County Judge/Executive's Signature or Designee

Date



REQUEST FOR REIMBURSEMENT

DATE OF SUBMISSION: _____

DEPARTMENT: _____

EMPLOYEE NAME: _____

REASON FOR TRAVEL: _____

DATE(S) OF TRAVEL: _____

LOCATION(S): _____

EXPENSES:

MILES: _____ x RATE: _____ = _____

LODGING: _____ = _____

MEALS: _____ = _____

TOLLS: _____ = _____

AIRFARE: _____ = _____

REGISTRATION FEE: _____ = _____

OTHER: _____ = _____

TOTAL = \$ _____

(Staple all receipts to voucher)

EMPLOYEE SIGNATURE

DATE

APPROVED BY:

DEPARTMENT HEAD/EXECUTIVE AUTHORITY SIGNATURE

DATE

DATE CLAIMED PAID _____

TREASURER SIGNATURE

**CALLOWAY COUNTY FISCAL COURT
EMPLOYEE DISCIPLINE FORM**

INFORMATION:

Employee Name: _____ Position: _____

Manager: _____ Department: _____

Date of Infraction: _____

TYPE OF WARNING:

Improvement Plan: ____ Verbal Warning: ____ Written Warning: ____

Suspension: ____ Termination Request: ____

REASON FOR WARNING:

Tardiness/Leaving Early ____ Absenteeism ____ Breach of Company Policy ____

Conduct ____ Violation of Safety Rules ____ Insubordination ____ Performance ____

Work Quantity or Quality ____ Damage or Theft of Company Property ____

Other: _____

Description of Infraction:

Plan for Improvement:

Further violation(s) will result in disciplinary action, up to and including immediate termination.

I have read this Discipline Form and understand it. _____ (Initials)

Employee's Signature: _____ Date: _____

Supervisor's Signature: _____ Date: _____

Human Resource's Signature: _____ Date: _____

Judge Executive's Signature: _____ Date: _____

**CALLOWAY COUNTY FISCAL COURT
GRIEVANCE PROCEDURE FORM**



TO:

FROM:

I WISH TO FILE THE FOLLOWING GRIEVANCE:

PROPOSED SOLUTION TO GRIEVANCE:

SIGNATURE:

PRINTED NAME:

--	--

**CALLOWAY COUNTY FISCAL COURT
GRIEVANCE PROCEDURE FORM**



RESPONSE OF:

RECEIVED ON:

SIGNATURE:

PRINTED NAME:

RETURNED ON:

AFTER RECEIVING THE RESPONSE FROM:

ON:

I AM SATISFIED WITH THE RESOLUTION OF THE GRIEVANCE

I AM DISSATISFIED WITH THE RESOLUTION OF THE GRIEVANCE AND WISH TO APPEAL THE DECISION TO THE NEXT HIGHER LEVEL

RESPONSE OF:

RECEIVED ON:

SIGNATURE:

PRINTED NAME:

RETURNED ON:

AFTER RECEIVING THE RESPONSE FROM:

ON:

I AM SATISFIED WITH THE RESOLUTION OF THE GRIEVANCE

I AM DISSATISFIED WITH THE RESOLUTION OF THE GRIEVANCE AND WISH TO APPEAL THE DECISION TO THE NEXT HIGHER LEVEL



APPLICATION FOR SICK LEAVE SHARING

Name of Applicant: _____

Department: _____

Social Security Number: _____

Amount of Sick Leave Needed (in Hours): _____

*Please provide a reason leave is needed, including a brief description of the nature, severity, and anticipated duration of the medical emergency. (If this is an amended request, provide reason for extension.):

Please attach certification by one or more physicians of the medical reason that employee will be unable to perform the duties and responsibilities of his/her position for ten (10) or more consecutive working days or the reason for extension, if an amended request.

_____, 20____
Applicant's Signature Date

_____, 20____
Human Resource Representative's Signature Date

The above-named employee has been approved to receive donated sick leave in accordance with the provisions of the sick leave sharing policy.

Executive Authority

_____, 20____
Executive Authority's Signature Date

*The original shall be kept by the Human Resource Department in the Employee's Personnel File.



SICK LEAVE DONATION FORM

Name of Donor: _____

Department: _____

Soc. Sec. #: _____

Amount of Donation (Hours) to be credited to Recipient: _____

*Employee must have 80 hours remaining after donation. The minimum amount an employee may donate is 8.0 hours.

Recipient: _____

Department: _____

I hereby certify that this donation is given without expectation or promise for any purpose other than which is authorized by the sick leave sharing policy.

_____, 20____
Donor's Signature Date

_____, 20____
Human Resource Representative's Signature Date

The above-named employee has been approved to receive donated sick leave in accordance with the provisions of the sick leave sharing policy.

Executive Authority
_____, 20____
Executive Authority's Signature Date

*The original shall be kept by the Human Resource Department in the Employee's Personnel File.

*A copy shall be transmitted to the Payroll Officer for Sick Leave balance adjustments.



RETURN OF UNUSED DONATED SICK LEAVE

This is to certify that _____ hours of sick leave donated by:

Name of Donor: _____

Department: _____

Social Security Number: _____

were unused by:

Name of Applicant: _____

Department: _____

Social Security Number: _____

Sick Leave balances will be adjusted accordingly on the following date: _____, 20__

Payroll Officer

Payroll Officer's Signature

Applicant's Signature

_____, 20__
Date

Donor's Signature

_____, 20__
Date

Human Resource Representative's Signature

_____, 20__
Date

*The original shall be kept by the Human Resource Department in the Employee's Personnel File.



CALLOWAY COUNTY FISCAL COURT

Waiver, Release, and Indemnification Agreement

This agreement is entered into with Calloway County Fiscal Court jointly by the undersigned.

_____ (print name), in order to permit participation in a Calloway County Volunteer program.

This Agreement is for the benefit of the Calloway County Fiscal Court, its staff members, employees, officers, directors, elected officials and representatives (known individually as an "Indemnatee" and collectively as "Indemnitees").

Volunteers have been advised that the activity of working with the program can be hazardous and involves contact that may be unpredictable. As such, Calloway County Fiscal Court cannot be held liable for injuries or accidents that may occur as a result of working with the Volunteer program.

Volunteers are also aware that injuries, loss of or damage of personal property, and death may occur as a result of Volunteer's participation. Volunteers agree that Calloway County and Indemnitees shall not be held responsible or liable for any injury, damage, loss or expense to Volunteer or his/her property, whether or not such injury, death, damage, loss or expense is caused by negligence or fault of Calloway County, any Indemnatee, or a third party, or any defective equipment or property owned, maintained, or controlled by them.

Volunteers and their heirs, executors and administrators agree to hold harmless each Indemnatee against any and all manner of legal actions, such as suits, debts, claims, or liability of any kind incurred while the Volunteer participates.

Volunteers fully, completely, and unconditionally waive and release each Indemnatee from all rights, liabilities, duties, claims, charges, demands, actions, damages, cost, attorney fees, or expenses of any kind that Volunteers may have now or in the future against Calloway County or any Indemnatee relating to participation.

Volunteers represent and warrant that he/she is physically and mentally fit to safely work with the public in the volunteer program. Should an accident or other medical emergency occur while participating in the program or while volunteering in route to or from Calloway County sponsored events and staff members are unable to timely reach emergency contacts for medical authorizations, then Volunteer hereby gives consent for Calloway County staff members to authorize medical treatment.

Waiver, Release, and Indemnification Agreement (Continued)

Volunteer represents and warrants that Volunteer has current medical insurance coverage and agrees to be responsible for any and all billings and debts incurred with respect to such medical treatment or services.

Volunteers represent and warrant that each of them has the authority to enter into this agreement.

If any provision of this Agreement is found to be unenforceable in any way, it shall be enforced to the maximum extent possible, and all other provisions of this Agreement shall remain in full force and effect.

I have read this **Waiver, Release, and Indemnification Agreement** fully and understand the terms, understand that I have given up substantial rights by signing it, and sign it freely and voluntarily without any inducement.

Volunteer: _____ Date: _____
(Signature)

Parent Signature if volunteer is under 18:

_____ Date: _____

Daytime Telephone Number _____

Evening Telephone Number: _____

Emergency Contact/Number: _____

Medical Information:

(Name of Insurer)

(Policy Number)

(Insurer's telephone number)

(Physician's Name)

(Physician's Telephone Number)